TWELFTH REPORT OF THE OMBUDSMAN

January 1, 1982 to December 31, 1982

27 January, 1983

The Honourable Arthur R. Donahue, Q.C.,
Speaker,
The Legislative Assembly,
Province of Nova Scotia.

Mr. Speaker:

In accordance with Section 24(1) of the Ombudsman Act, it is my honour to present my Annual Report for the calendar year 1982.

Respectfully submitted,

W.L. Campbell,
Ombudsman

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PREAMBLE

General

Since I received the honour of the appointment as Ombudsman in January 1982, this is my first Annual Report to the House of Assembly. The austerity year of 1982 was perhaps not the most auspicious time to enter on a new job, with a reduced staff facing an increased caseload. Invitations to visit Ombudsmen in other provinces and abroad have been regretfully, and regrettably, declined.

Ombudsman Jurisdiction

Strict application of the provisions of the Ombudsman Act limits the office to investigation of complaints about the administration of any provincial or municipal law. Ruled out of the Ombudsman's jurisdiction are such things as matters before or already decided by a court of law, decisions of Cabinet and its committees, Federal problems, or private business transactions. How much time should be devoted to handling non-jurisdictional complaints is a discretionary decision for all Ombudsmen. In any average year in Nova Scotia approximately 50% of all complaints should be treated as outside jurisdiction according to the Act. However, if the office has a store of precedents and has established good contacts it would be a sorry thing indeed not to use them wherever possible. Many of the cases which could be refused as outside our jurisdiction require more time and research than those which fall within our legitimate boundaries.

Freedom of Information

The Government of Canada has an Access to Information Act, written but not yet in force, and Nova Scotia has had a Freedom of Information Act since 1977. It is not intended here to comment on the merits of either of these acts. The demand for information requiring application of the Nova Scotia Act has not been a large factor in the workload of this office during 1982. However no such act applies to cities, town or municipalities.

Salaries and expenses paid to public employees are usually not kept secret. In Nova Scotia the Supplement to the Public Accounts divulges this information for most civil servants and some other employees, or at least shows what was paid through a department to the individual during the year preceding publication. As far as can be ascertained there is no statute making this action mandatory, rather it is done through "custom and usage".

There is no Act specifically directed towards freedom of infor-

mation at the municipal level, nor is there a counterpart to the provincial Supplement to the Public Accounts. Books, records and accounts are to be made available for inspection upon request at all reasonable times of any person (Towns Act 94 (1)).

In a 1982 example, a ratepayer wrote to the Town Administrator requesting the names and job descriptions of all salaried employees of the Town, and the remuneration paid them by the various departments and commissions of the Town. He also wanted to know the amounts paid or due to members of Council for special sessions to the end of June 1982. The Town refused him this information, stating that it was confidential and privileged. After certain negotiations, he was allowed to scrutinize some books and records but not the payrolls.

A municipal financial statement, which becomes public information when tabled before council, usually shows salaries and other payments in blocks allocated to departments, not the specific information on individuals which was what our client wanted. Legal opinion from the Department of Municipal Affairs indicated that only a court of law could direct a municipality to produce such information. Also, there appear to be differences of opinion amongst solicitors concerning the whole subject of access to information.

A telephone survey of selected municipal governments revealed a near-zero demand for the type of information our client wanted. The typical response from clerks and administrators was "I was never asked for it, but would probably give it if somebody really wanted it".

This is a case where a considerable amount of work ends in an impasse, with neither client nor Ombudsman satisfied. Some concerned citizen must take his case to court, or legislation must be embellished to define "books, records and accounts".

Nuisance By-Laws

Most municipalities have passed by-laws to control nuisance sources offensive to neighbours. These include such things as dogs, fur-ranches, noise, odour, unsightly premises, sanitation and others. Based on my own experience as a municipal councillor, I know that enforcement of such by-laws can be a delicate matter indeed. Old car bodies strewn about a property may be unsightly to some, but things of beauty and value to the owner.

We have had a number of cases in 1982 concerning infractions of these by-laws, and there is an obvious reluctance on the part of municipalities to enforce them. Clearly, if a by-law is adopted and printed, its observance should be mandatory without the necessity of private court proceedings.

Source of Complaints

It has long been a concern that in some years more than half of all complaints originate in the Metropolitan area of Halifax County. This is out of proportion. To bring the figures into some better alignment, our office set up temporary facilities in fourteen locations outside of Halifax County during the year. 124 complaints were lodged during these sessions, with further numbers coming in later from the locations visited.

Investigations

With a very small staff and limited budget, it is not possible for our office to do as many on-the-ground investigations as do our bigger brothers in such provinces as British Columbia, Ontario and Quebec. The bulk of investigations must be done from the office by interview, letter and telephone. Specialization by a staff member in certain fields, e.g. land disputes, social services, correctional institutions, is not feasible. Being unable to specialize does make for certain disadvantages, but does develop flexibility in the office.

Federal Ombudsman

There is still no Ombudsman in Ottawa. In common with my counterparts in eight other provinces, I consider there is an urgent need for such an appointment. In this office complaints against Federal departments and agencies constitute between eight and fourteen percent of the caseload. While we receive on the whole very satisfactory response from our Federal contacts, there are problems which could only be resolved by a Canada Ombudsman office with broad powers of investigation.

EXAMPLES OF COMPLAINTS

ATTORNEY GENERAL

Blood from a Stone

This person wrote us to tell of a complaint involving the inability of the Sheriff to enforce an order of a court.

The complainant had won a judgement of $5,260.00 against another individual. However, the Sheriff whose duty is to enforce court orders, advised the complainant that the defendant in this action had no property that the Sheriff could seize to satisfy this judgement. However, the complainant indicated that the defendant owns a mobile home, a piece of land, two trucks, etc.

My office contacted the Sheriff's office concerning this case. The Sheriff advised me that he had previously carried out a check on the defendant and found that several finance companies held a lien on everything that the defendant has, including his mobile home, land, trucks, etc. Unfortunately, the Sheriff was unable to seize anything already under chattel, nor could he garnishee the defendant's wages, as the defendant was self-employed.

We wrote the complainant and advised him that there was nothing that could be done in the near future to satisfy this judgement. We did suggest, however, he keep in touch with the Sheriff involved, in the hope that some of the chattel mortgages would soon be released whereupon the Sheriff could seize that item to satisfy the judgement.

This file was closed as "Unsupported".

CONSUMER AFFAIRS

Caveat Emptor

The complainant told of the difficulties encountered by her son when he purchased a used motorcycle. Unknown to her son there was a lien on this motorcycle. After a period of time the young man re-sold the motorcycle to another individual, neither of whom had any idea that the original owner of the vehicle owed a considerable sum of money to a bank. The bank re-possessed the bike to pay the debts of the original owner and this resulted in the second and third owners of the bike taking action in Small Claims Court to try and recover monies that were due them.

The complainant stated that there was no protection for an individual who purchased used goods. She said that the Department of Consumer Affairs did not have any booklets on the need for caution when buying second hand goods. She also suggested that perhaps the schools should adopt a program to educate young people in the possible pitfalls of the market place.

We contacted the Deputy Minister of the Department of Consumer Affairs regarding this case. A response was received from a senior official of the Department stating Consumer Education Courses formed part of the High School curriculum in some districts of the province, including the area in which the complainant resided. However, it was pointed out that these courses are not mandatory and very often students at this age do not appreciate the complexities of the market place to the extent of prompting them to participate in such courses. The Department of Consumer Affairs also advised that they would give consideration to the complainant's suggestion regarding the preparation of a fact sheet on the subject of purchasing used merchandise.

We also contacted the Sheriff of the municipality that the complainant resided in, as she had expressed some concern with regard to the cooperation that she had received from the Sheriff concerning the court case in which her son attempted to recoup some of the monies he had paid for the motorcycle.

The Sheriff advised, to our satisfaction, that he was doing everything possible in his power to satisfy the judgement that had been won by the complainant's son, in Small Claims Court.

It is interesting to note that the complainant continued to follow-up on this matter through other channels and subsequently advised our office that the problem of purchasing used goods was to be aired on the CBC program "Marketplace". It is hoped that this type of publicity will help to educate the general public with regard to the possible dilemmas that can be encountered when one purchases used goods.

Credit Reporting

In 1973 our complainant owed more than twelve thousand dollars to fourteen separate creditors. The court garnisheed his wages, and by 1981 all creditors were satisfied. However, he discovered that his credit rating was still not a good one, and would remain that way for

six years following completion of payment.

We studied the Credit Reporting Act and found that the reporting agency was quite within its rights in keeping such records. We checked with the Department of Consumer Affairs and had our opinion confirmed. In fact where multiple judgements are involved the six years could be exceeded. No law was being violated in any way, and we could not help this man. We could only advise him that his now good history of payment would be his best advertisement.

Freedom of Information

A lady has been a frequent visitor to the office over the years. She does not relate well to landlords and other tenants, and changes her abode about twice a year at the request of the landlord. In this instance, several tenants had submitted written complaints about her to the landlord. These written complaints ended up in the hands of the Residential Tenancies Board. Our client demanded access to the letters, which was denied by the Deputy Minister. Through her lawyer she appealed to the Minister in accordance with the Freedom of Information Act.

The Department of Consumer Affairs offered the lawyer opportunity to examine the letters, with several conditions. Our client was not to be present, nor were the writers' names to be divulged to her. No copies were to be made.

These conditions were unacceptable to the client, who would be satisfied with nothing less than copies of the letters. This was denied by the Minister. We advised the client of her channel for final appeal, which would be to the Legislative Assembly through her MLA. As far as we know she did not take this step.

We have no quarrel with the decision of the Deputy Minister, which was upheld by the Minister. Unfortunately for her the lady's reputation flies before her. It is amazing to us how she seems able to find a new apartment so often. However, we do feel that the channels for appeal are inadequate and require improvement.

COURTS OF LAW

Errant Husband

The first contact our office had from this complainant was by means

of a telephone call during which time she told of a complaint she had against a county court judge, and the enforcement officer of a family court.

The client was advised that the Ombudsman Office does not have the jurisdiction or authority to investigate a complaint against a judge. However we did indicate that upon receipt of a letter of complaint we would make inquiries concerning her allegation against the enforcement officer of the family court.

Several months passed before our office received a letter of complaint. Specifically the complainant felt that the enforcement officer of the family court was not making a satisfactory effort to secure child support payments. It was further alleged that the enforcement officer had deliberately misinformed the complainant and had neglected to proceed with enforcement when requested to do so.

The supervisor of the family court for the area was immediately contacted by our office.

We subsequently received a report from the supervisor of the family court who pointed out that the complainant did not proceed on the initial information laid by her in 1979. This was in connection with her seeking maintenance from her then separated spouse. It was believed that she was pursuing a divorce and, therefore the family court did not become involved again until the divorce decree was registered with them.

Once the divorce decree was registered with the family court, efforts were made on behalf of the complainant to ensure that maintenance was provided to her. However, shortly thereafter a judge of the county court determined that a request for variance would be heard by a higher court. There then arose a question of jurisdiction, of which court should hear the issue, thus lengthening the procedure. All during this time the enforcement officer of the family court could not make any effort on behalf of this person until the supreme court reached a decision on the question of jurisdiction and ultimately as to whether a variance order should be made.

Just one week before contact by our office, on behalf of this client, the variance order was finally received. We were assured that the enforcement officer would then give this case as much priority as possible.

Our office was satisfied that the enforcement officer had not been dragging his feet. Unfortunately, most of the delay in this case had been caused when the case was being adjudicated before county court and the supreme court.

The complainant was advised that we could find no evidence that the enforcement officer of the family court had been remiss in his duty.

CULTURE, RECREATION AND FITNESS

A Heritage House

The complainant owns an old house in a picturesque old town. Old houses are known to have their disadvantages, but some have beauty and grace seldom seen in the homes of today.

Nova Scotia proclaimed its Heritage Property Act in July 1980. Its purpose is to "provide for the identification, designation, preservation, protection and rehabilitation of buildings, streetscapes and areas of historic architectural or cultural value and to encourage their continued use" (1980, C.8, s.3).

Our client owned a house of very great age. The Town passed a Heritage By-law modeled on the Heritage Property Act and enthusiastically set about designating heritage properties. A notice was sent to our client advising him that his house was considered a heritage property, and inviting him to attend a hearing. He was unwilling to have his house designated, and did not attend the hearing. The Town exercised its authority, designated the house, and entered it on its registry of heritage properties.

The Act and the By-law contain provisions that the owners of such properties shall not substantially alter the exterior appearance or demolish property without the approval of the Town; if such property is not approved after application in writing, the owner may make such alterations after one year from date of application.

After almost two centuries, the complainant's house was in need of some refurbishment. He applied for and received a Canada Home Renovation Plan forgiveable loan towards the cost of sheathing the house with vinyl siding. His application to the Town was flatly refused. If he went ahead with the work, the penalties could be severe indeed — heavy fine and imprisonment. The

forgiveable loan would be forfeit unless the work was completed within a stipulated time.

We reviewed the Heritage Property Act and the town's Heritage By-law. The Town had acted quite properly. Nova Scotia does require measures to protect its heritage against wholesale demolition and destruction. Like most legislation, this Act cannot please everyone. The client requested that we negotiate with Canada Mortgage and Housing Corporation for a year's extension of the loan. CHMC have been most cooperative with our office when we put up reasonable cases, and readily authorized the extension. It was not the perfect solution, but perhaps a plausible one.

DEVELOPMENT

A Dirty Deal

A gentleman invested several thousand dollars on renovations to his home, the largest item being a complete exterior siding job. Hardly was the work finished when the Sydney Steel Corporation commenced loading ships with coke at a nearby government wharf. The fine dust made his new siding look old and unsightly, and also permeated the interior. Normal washing methods would not remove the stains on the outside or inside. He sought financial assistance towards a major cleaning project.

We wrote to the Department of Development. The Department pointed out that Sydney Steel is a Crown Corporation which bears full responsibility for its actions, and in view of this it would not be appropriate for the Province to intervene.

Based on a 1976 decision by the Supreme Court of Nova Scotia Appeal Division, the Ombudsman is not empowered to investigate complaints against the Sydney Steel Corporation. We would only advise the complainant that the provisions of the Proceedings Against the Crown Act apply to Sydney Steel, and wish him luck.

EDUCATION

Teachers' Pensions

Some of us can remember the shortage of teachers in the late 1950s to mid-60s. The Toronto Globe and Mail would publish a weekly supplement, consisting entirely of school boards' advertisements seek-

ing teachers. Many came from abroad to all the provinces, including our own. Unfortunately those heady days had to come to an end.

Our clients hailed from an Asian country. After some years of teaching in Nova Scotia, they sought to "buy back" pension time credited to their teaching experience in their country of origin. The Teachers' Pension Commission Policy is that foreign teaching service should be purchased on the same basis as if it had been Nova Scotia service. This is a good policy, and is common to most pension schemes.

We were visited by three teachers who were in the process of purchasing pension time at the Nova Scotia rates. However they had heard that certain of their compatriots were purchasing at the Asian rates, which amounted to very much less than they were paying. They wanted equal treatment, and felt they were entitled to a refund. They said that their complaints to the Commission were ignored.

We checked with the Department of Education, where a search of some 14,500 files was undertaken. It turned out that our three petitioners were correct. A very few teachers had been the beneficiaries of mistakes made at the times the buy-back applications were accepted.

The decision necessary to straighten out the matter, which was made public by the Minister in the House of Assembly, did not favour the request of the three complainants who represented the vast majority. Those few who had profited from the errors were directed to pay the balance rightfully owing. The others received apologies. We believe this was the proper solution.

FEDERAL

Protecting the Neighborhood

A lady telephoned to complain about the Rural and Native Housing Program. She was concerned that under the program a native woman of questionable character was being housed in her neighborhood. She stressed the fact that her objection did not lie in the fact that the woman was a native, but that she had a poor reputation and a bad record. She developed this information with considerable detail, and wanted to know why an old house was being refurbished at taxpayers' expense for a person who would only

lower the standards of the neighborhood.

We did not pursue this one much further. We explained that little can be done on the basis of anticipation of trouble. If trouble should arise, there are laws which if broken can lead to charges. Meanwhile a petition against the woman would be most inadvisable, and could react against the petitioners. We did provide the lady the names of those CMHC officials responsible for the social housing programs, but suggested that their reaction would in all likelihood be about the same as ours.

Income Tax—the Computer

Our office receives a number of complaints against Revenue Canada Taxation. The complaints seldom concern the amount charged, but perhaps could be generally laid to poor communication. The tone of the letters sent out to supposedly delinquent tax payers are usually brusque, to put it mildly. Some recipients react with distress and fright, others with rage. We realize that many such letters are in fact deserved, and these we seldom hear about. It is the responsibility of the District Taxation Office to collect what they are told is owing, and to do this in as short a time as possible.

Strictly speaking, since income taxation is a federal responsibility, it is outside our jurisdiction and there are also well-established channels for appeal. However Nova Scotia has an Income Tax Act, and more than one-third of the personal tax paid by an individual is collected on behalf of Nova Scotia by Revenue Canada Taxation. This does lend a Provincial flavour to the whole subject. Like other Federal bodies, we find Revenue Canada Taxation very responsive to reasonable queries.

A young woman immigrated to Canada in 1979 and found immediate employment in a city in Ontario. She filed a tax return for 1980, calculating that she would have a refund of $105.00. Revenue Canada Taxation agreed with this, but also gave her an averaging award which made her total refund more than $700.00. She thought Canada a fine country indeed, and spent the money moving to Halifax. After working for a while as a waitress, she secured employment in a provincial hospital. Her first inkling that all was not well was a garnishment order from the Department of Finance of $64.00 bi-weekly against her pay. The Province had been ordered by Revenue Canada to recover $762.91 at that rate. Since she had incurred some debts for furniture and other items, she was distressed

beyond measure.

We contacted the District Taxation Office at the lady's written request. They had sent three letters to her but had received no reply. She had had three changes of address and said she received no letters. This was true, because all three letters arrived during the course of our investigation.

We were able to be of some assistance. The garnishment was reduced to $25.00 bi-weekly from $64.00, and penalty waived. She received a letter of explanation from the Minister of National Revenue, and we helped her with her 1981 return. It seems the situation came about through a computer error.

Boat Subsidy

The complainant had applied to the Fisheries Subsidy Board of the Federal Department of Fisheries to assist in the construction of a new fishing vessel. After a period of time had elapsed, he had still not received approval from the Board to construct this vessel but was advised by the boat builder that he must either commence construction of the vessel or he may have to wait at least several additional months until the boat builder was ready.

Faced with this dilemma, the complainant gave the boat builder permission to begin construction of this vessel. Unfortunately, several weeks later he received a letter from the Federal Department of Fisheries informing him that his request for a subsidy had been denied.

He later learned that the only reason for the refusal was that he started construction of the vessel before the subsidy was formally approved.

He had contacted his MP, the Federal Minister of Fisheries, and had even sought the assistance of the Provincial Deputy Minister of Fisheries.

To clarify this complaint, we contacted the Provincial Deputy Minister of Fisheries. He advised that the complainant was correct in his contention that the reason for refusal was based upon commencement of construction without prior approval. In fact, on at least three separate occasions, the Provincial Deputy Minister of Fisheries had made representation to the Federal Department on behalf of this man. He was not successful even though there were

indications that subsidies were paid on other vessels which were under construction before subsidy approval was received.

It was also pointed out to our office that a federal minister has absolute discretion in the Vessel Subsidy Program, and it was unlikely that the original decision would be reversed.

My office advised the complainant that there was probably nothing that could be done to rectify his complaint.

FINANCE

Health Services Tax

A couple from a rural area bought a new car from a registered dealer in Halifax, paying the whole price including the provincial Health Services Tax. Not long after they arrived home with their new purchase, they began receiving letters from the Tax Commission demanding remission of the tax. Feeling that they had done their duty, they paid no attention to the letters until the final one which warned of immediate withdrawal of the vehicle registration. This prompted a telephone call to the Ombudsman.

The Provincial Tax Commissioner discovered that it was a computer error. He telephoned the complainants his apology, and followed up with a letter confirming that the tax had been received.

Most of our vehicle tax problems involve two provinces and double taxation and are never resolved so readily and gracefully as this one.

HEALTH

Religious Convictions

Recently in a Western province, parents were charged with the murder of their child. As Jehovah's Witnesses, they had refused to allow blood transfusion.

Our office worked on a case in 1982 which did not result in such tragedy. The parents of a little girl who required heart surgery were Jehovah's Witnesses, and could not allow the use of "standby" blood during the operation. No hospital in Nova Scotia would countenance such bloodless surgery. The parents were able to find

a hospital and a doctor in the United States willing to undertake bloodless surgery, and the operation was successfully performed on the child.

For such out-of-province cases, which can be done after referral by a Nova Scotia doctor, there is a general payment formula. For hospital expenses it is $100.00 per day plus 75% of the remainder. Physicians' services are based on the Nova Scotia fee schedule plus 75% of the remainder. However in this case there was a general rider to the effect that hospital expenses paid by the province must not exceed the costs which would be incurred had the hospitalization been in Nova Scotia.

The doctor's fees were covered in full by the province. The bill for hospital services for 18 days was $12,464.00 in U.S. currency, which at the time came to about $15,580.00 Canadian. Of this amount, the province paid $6,409.00 Canadian to the hospital, leaving the parents with the responsibility of the remainder which to them was a staggering sum.

We worked at considerable length over this one, with sympathy for the Witnesses and also for the position of the province. The province stood firm on its ruling, and all we can say that history records countless examples of people paying a heavy price for their religious convictions.

A Long Wait

A contractor was the successful tenderer on a roofing job for a hospital. The main contract was completed satisfactorily and payment was made, and certain extras were also authorized and paid for. However there was a final extra of a little more than $2,000.00 which was not paid for. After trying for thirteen months to get his money, the contractor wrote our office.

There was no dispute over the authorization or quality of the extra work, rather it was a mix-up over who should actually issue the cheque. The hospital, the city and the province all had a hand in the contract. Direction of the hospital had passed from the city to the province during the interim period. The contractor had been getting rather unhelpful replies to his requests for payment.

After considerable investigation we wrote to the Deputy Minister of Health. He authorized immediate payment with suitable

interest. On this one we received that rare item, a letter of thanks.

Naming the Baby

After many years, a couple had a baby son, rather late in life for such an event. Before his death the baby's maternal grandfather had asked his daughter, an only child, to ensure that his surname be passed on to a grandchild should there ever be one. Respecting her father's wish, the new mother sought to register the baby's name in hyphenated form, coupling her maiden name with her married name.

Unfortunately the Vital Statistics Act does not make provision for such hyphenation. With certain exceptions which did not exist in this case, the birth of a child of a married woman shall be registered showing the surname of the husband as the surname of the child. The mother was so advised by the Deputy Registrar General, who also told her that for a fee of $50.00 she could make application under the Change of Name Act. She considered this to be a flagrant violation of her rights.

The Deputy Registrar General had applied the Act correctly. However, the case seemed to have unusual merit, and we thought it worth bringing to the attention of the Minister. The Minister sympathized with the lady's point of view, but rightly supported the decision of the Deputy Registrar General. He also indicated that his Department was considering an amendment to the Vital Statistics Act which would facilitate birth registrations of the type the lady had requested. We passed on to her the alternatives she had to achieve her aim.

LABOUR AND MANPOWER

Labour Relations

Some of the nurses in a small hospital sought union status, and made out an application for certification. The vote by ballot was carried out under the supervision of the Labour Relations Board, and all procedures correctly observed. Ballots were counted, also under supervision, the result favouring union certification by a very small majority.

Those who had voted against certification could not believe this result. They secured affidavits from the nurses who swore that

they had voted against certification, and those affidavits outnumbered the YES ballots by the same small majority. It was an exact reversal of the original vote.

A spokesperson for the NO voters called our office, and we asked the Labour Relations Board about the possibility of having another vote. The ballots were recounted with the same result, and the affidavits were recounted with the same result. This was a delicate situation for a small rural hospital to face.

There is a strong policy argument that an election must be final for a reasonable period of time. There can be an application for revocation of certification, but not until it has been in effect for at least twelve months. A vote may then be ordered by the Board.

We felt that a year of experience might be a very suitable cooling-off period. We advised the spokesperson of the policy and regulations, and expressed the sincere wish that there should be no ill-feeling amongst staff members who are all each others' neighbours.

Fire Trap

This complaint was brought to the attention of my office when a gentleman contacted my Investigator when he was making one of his excursions throughout the province.

Although it was not possible to visit the complainant on that day, arrangements were made for a subsequent visit.

The complainant enthusiastically showed my Investigator a seventy year old building which he had purchased, and was in the process of renovating. He told of plans for the building including an antique shop, live theatre, a restaurant, etc.

Initially the complainant voiced criticism of the local Building Inspector and town by-laws. However, his main complaint was directed against the Fire Marshal of the Province of Nova Scotia. He had requested that permission be granted for him to open a small portion of this building for the operation of an antique business, which would place him in a better cash flow position.

A representative from the Fire Marshal's office had visited the site in question and had indicated to the complainant that he would

be permitted occupancy of the basement level of this building if certain requirements were met. Some of these requirements were the installation of emergency lighting, exterior doors were to be marked with approved type exit signs and so forth.

Approximately two months later, the Fire Marshal carried out an inspection of the premises at the request of town officials. The conditions witnessed by the Fire Marshal resulted in an order to cease occupancy under the provisions of the Nova Scotia Fire Prevention Act, Section 20.

The complainant advised my Investigator that he no longer wished to operate his antique business in the basement of this building but would prefer to utilize a small room in a corner of this building. This small room the complainant pointed out, had very large doors which gave easy access to the outside, and therefore the Fire Marshal should have no objection.

We contacted the Fire Marshal and were told that his Order under the Fire Prevention Act applied to the whole building, and not just the basement part of the building in question. The Fire Marshal pointed out that there was no electrical wiring of approved quality, the water supply at the time was in the basement only, and the general condition of the building resembled a structure that had been struck by a bomb.

Our contact with the Fire Marshal's office and my Investigator's common sense observation of this building led to the conclusion that the Fire Marshal was simply carrying out his responsibilities when he issued his orders that occupancy of this building should cease.

The complainant was advised accordingly and the file was closed as "Unsupported".

LANDS AND FORESTS

Land Ownership

The complainant bought an island in 1973, and received a "Quit Claim Deed" from the vendor.

The problem arose when he attempted to resell his property to a non-resident. When the title was searched it was found that the

island was never granted by the Crown. The complainant then contacted the Department of Lands and Forests and was advised that it was their position that the parcel of land that he had purchased was Crown land. At that point the complainant stopped paying taxes on the land.

For some unknown reason the municipality then listed the island as "owner unknown" in a tax sale in 1981. The complainant then paid the taxes owing and was issued a Certificate of Tax Sale by the municipality.

When this transaction came to the attention of the Department of Lands and Forests the municipality was notified by the Attorney General Department that they were not to issue a Certificate of Title to this land. The complainant was advised of this by the municipality and offered a refund, which he would not accept.

When we contacted the complainant we learned that he was not represented by a solicitor when he originally purchased the land in 1973. We contacted officials of the Department of Lands and Forests concerning this matter and were advised of their position. It was also pointed out that this property would be made Crown land until such time as the complainant, or some other individual, could show sixty years of continuous occupancy.

The complainant was advised that under the Lands and Forests Act the onus of proof is on him, in that he must show that either the property was granted at some time in the past or there was the above-noted length of occupancy on this property.

It was further suggested to the complainant that his only recourse at this time, would be a civil action against the individual who sold him the property in 1973, as this individual had no right to sell property that belongs to the Crown.

Our office had been able to clarify the status of the property and advised the complainant of the only course of action that was open to him (Civil litigation), therefore the case was closed as "Assistance Rendered".

MUNICIPAL AFFAIRS

Assessment

We received a complaint from a man worried about his assessment which had risen by about 40%. He had called his assessor, who said that it was in error and would be reduced. Meanwhile the complainant received his tax bill based on the increased assessment. He had been told by the assessor that the appeal would be handled without the necessity of his appearance, but thereafter was unable to get more information.

We wrote to the assessor of the municipal region involved. The appeal went through without delay and with a substantial reduction in assessment. There had been an error.

MUNICIPALITIES

How Not to Collect

A professional gentleman left his practice in the city and set up another in a Valley town. Before leaving, he ensured that all known bills were paid. Some eight months after his move, he received a letter from a collection agency, framed to resemble a lawyer's letter and couched in language most displeasing to the gentleman. The letter ended:

"When Judgement is given against you, it will constitute a lien on your property and make it liable for seizure and sale under Execution; your wages to attachment under Garnishee; and examination under the "Collection Act", and to have the costs of these actions taxed against you."

The sum involved was less than ten dollars and our client was finally able to ascertain that it was for water supplied by the city to his former residence. He paid the bill, but having never heard of it until receiving the rather peremptory notice he was more than a little incensed.

Our office wrote to the city and to the Consumer Services Bureau of the Department of Consumer Affairs. The city acknowledged its error and sent a handsome letter of apology to our client with a full explanation.

The Consumer Services Bureau found that the collection agency had acted in a manner inconsistent with the provisions of the Collection Agencies Act. A letter of reprimand was sent to the agency advising them to discontinue the use of their form letter and directing them to apologize to our client. They were further told that any further use of their "legal" letter would seriously jeopardize the status of their license.

The money might be trifling but the principle was important. We hope that the action saved other people from similarly threatening letters.

House Repairs

A lady called our office and told of problems she had allegedly been experiencing with a local municipality, and a federal government department. We were not able to obtain a clear understanding of her complaint so one of our staff visited her at her home.

When this interview took place, the complainant told a lengthy story involving structural damage to her home. According to the client this structural damage took place when a contractor was renovating her home under one of the federally sponsored home renovation programs.

The complainant indicated that she had contacted her MLA, her MP and had even sought legal advice all to no avail. During the interview, the complainant at one point accused the contractor and federal officials of hastening the demise of her husband.

Our office contacted the municipality concerned seeking information with regard to the complainant's allegation. The municipal administrator responded in writing and suggested that whereas there were volumes of information relating to this matter perhaps a meeting with senior staff would help to clarify this complaint.

A member of our staff met with four officials of the municipality that had been involved with the complainant. It was explained that under this federally sponsored program (municipally administered) that a maximum forgiveable loan was available in the amount of $3,750.00. However, the expenditure of this money is not for items such as beautification of the home, but is paid to try and make a home structurally sound.

The municipal officials that had been involved in the particular

case explained that when the contractor examined the home, he discovered it needed certain support columns to prevent it from collapsing. It was after these support columns had been replaced that this individual started to complain of structural damage to her home.

At that point the municipality requested that an inspector from a federal housing agency examine the person's home to see if the replacement of these support pillars could have caused the damages that she alleged were done to her home. The inspector reported that in their opinion no damage occurred as a result of the replacement of these support columns.

When the complainant continued to raise the issue of structural damage to her home, the municipality involved decided it would hire an independent contractor and asked him to have a look at the property and advise as to what, if any, damage had resulted as a result of the renovations that had been carried out; again municipal officials were advised that no structural damage could have resulted from the replacement of these support columns.

It is interesting to note that when monies were paid under this program to the complainant, she and her husband refused to pay the contractor who had actually done the work on her home. We were advised that the complainant had sought legal advice and was told that she should pay. However, the client continued to refuse to pay the contractor but he took no action to secure his money.

It was suggested, by municipal officials, that perhaps this lady assumed that the $3,750.00 forgiveable loan, under this program was the beginning of financial commitments from government to her to completely renovate her home.

Our office was satisfied as a result of our meeting with municipal officials that the municipality had done everything possible to resolve this complaint, however, because of the nature of the complaint and possibly because of the state of the lady's emotional health, the issue would never be resolved as far as the complainant was concerned.

The complainant was advised that nothing further could be done to assist her.

A Watery Situation

A Member of the Legislative Assembly brought this to our attention. A constituent felt that for a number of years he had been overcharged for water rates by the town. Although the amount of money involved was quite small he felt that there was a principle involved in this issue.

We wrote the mayor of the town involved, who responded by telephone. The mayor explained that as soon as this complaint had been brought to his attention he directed this individual's water bill be adjusted accordingly. However, the complainant felt that he should receive a retroactive reimbursement for the four or five years that he had paid this extra money. The mayor was reluctant to do this as he felt the town was not in the financial position to begin to make retroactive payments to individuals. As well, he expressed the feeling that there was some onus on the complainant to have brought this matter to his attention earlier.

In subsequent correspondence to our office the municipal clerk advised there was no positive way to establish the number of years that the complainant had been overcharged, due to the fact the town records had been destroyed in a fire. We then contacted the complainant who told that he had first brought this matter to the attention of the town a number of years ago, but no action had been taken to adjust his water rate. With this information in our possession, we again contacted town officials concerning this complaint. Shortly thereafter, we received information from the clerk in which he advised that the town council had instructed him to request the complainant to file a sworn statement showing when he had first noted that he was being overcharged for his water rate. The town further indicated that if such information was received by them, then they would issue him with a rebate for the years that he had been overcharged for his water service.

Our office contacted the complainant and advised him that it was our opinion that he should comply with the town's request so his complaint could be resolved. We then wrote the MLA and advised him that we considered the town's position to be reasonable, and had advised the complainant accordingly, and therefore, considered the case to be closed.

There is an appendage to this story. The complainant wrote the town stating he had been overcharged for his water rates since

1973, when he first purchased this property. Unfortunately, for the complainant, he had advised the local assessor that the home belonged to his father who received an age exemption on his tax bill for the years 1975 and 1976. If, as the complainant had stated, he had owned the house since 1973 then this age exemption would not have been allowed and it was suggested that the complainant may then owe the town for the two years in question. Neither the complainant, nor his MLA requested that we pursue this matter any further, therefore, the case was closed once again.

A Bad Odour

This case was first brought to our attention when the complainant approached my Investigator during one of his visits to towns throughout the province.

We were advised that a highway culvert near the complainant's home had been found to be depositing sewage effluent on the ground. Apparently this effluent gave off a strong smell in the summer and the complainant feared that this might adversely affect his family's health.

The complainant also advised that this situation had existed for approximately five years and no action had been taken by the municipality to rectify the matter.

We contacted the municipality involved and were told that the area concerned was a swampy one. They felt that even piping the service water that was flowing onto the property would not totally eliminate the smell of stagnant water.

However the municipality advised that it would install a pipe to drain off the property as soon as it was conveniently possible. Although this commitment was made in the summer it was not until the late fall, and some further nudging from this office, that the actual piping took place. As soon as the installation of this pipe commenced, the complainant called our office and thanked us for the assistance we had been able to render.

Sewage Problem

This person phoned us to say that his home was recently flooded when the town sewer backed up.

According to the complainant he had contacted the Town Engineer but received no satisfaction whatsoever.

I directed my Investigator to visit the complainant, and town officials, in order to try and obtain more information regarding this complaint.

My Investigator met with the Mayor, the Town Solicitor, Town Manager, and the Supervisor of Works. The Mayor advised that the complainant had not made any formal claim for damages against the town, although he had spoken with the complainant about this very problem.

My Investigator next met with the complainant and viewed the damage sustained to the complainant's property. It was obvious that the complainant had suffered several thousand dollars worth of damage to the basement level of his home.

It was suggested to the complainant that he should obtain several estimates from different contractors, and forward these, along with a letter of claim to the Mayor. The Mayor would in turn relay this information to the town's insurance adjustor who would in turn render a decision as to whether it was felt that the town was liable for the damages.

After a reasonable period of time had elapsed my office followed-up on this case by contacting the Town Manager. We were subsequently advised that the town's insurance company had paid an amount of $4,003.00 to the complainant in settlement of his claim.

NOVA SCOTIA POWER CORPORATION

Too Much Power?

We receive a fairly constant number of complaints against the Power Corporation. Our inquiries to the Corporation are answered quickly and thoroughly, and are usually checked on the ground by field staff. Some complaints are valid, some are not, and others are arguable.

In March 1982 in a rural area an insulator on a 23 KV line broke down, causing the line to fall on the crossarm of the pole. The crossarm burned, resulting in the 23KV line falling further to strike

the 12KV distribution line. This led to a surge of 23,000 volts through the distribution system. In numerous dwellings the surge damaged such appliances as microwave ovens, stereos, television sets and transformers.

The complainants sought damages, and received the impression from local Corporation employees that once the articles were repaired and paid for, the bills could be sent to Head Office for repayment. However, the Insurance and Claims office of the Power Corporation declined acceptance of any responsibility for the damages.

We asked the Corporation to further investigate the matter and to advise us, which they did. The local employees denied having said that the damages would be paid by the Corporation, but had only told the customers that reimbursement, if any, would be subject to the decision of the Claims Department in Halifax.

Section 7(2) of the Power Corporation Act reads as follows:

> "Any contract for the supplying by the Corporation of electricity or steam shall be deemed to provide that the Corporation shall not be liable for damages in respect of any delay, interruption or other partial or complete failure in the said supplying when such damages are caused by something which is beyond the ability of the Corporation to control by reasonable and practicable effort."

The Corporation maintained that there was no evidence of negligence on their part, and held firm to this position. We have to agree that the provision of the Act is very clear.

Country Living

This case first came to the attention of our office when the complainant contacted a member of my staff on one of his visitations through the province.

The client explained that he had recently purchased a property in a rural area. The property was not serviced by electricity, yet the client needed electrical service to maintain among other things, his four children. He advised that his farm house was located approximately three-quarters of a mile from the nearest power pole. It seems that when he approached the Nova Scotia Power Corpora-

tion he was advised that it would cost him in the vicinity of $5,300.00 to extend power service to his home.

The Nova Scotia Power Corporation has an approved rate schedule whereby an extension of lines, to new customers, must be paid for by that customer.

This gentleman advised us that he could pay approximately half of this amount but simply could not afford to pay the total amount required. We contacted the Nova Scotia Power Corporation in order to ascertain as to whether there were any circumstances whereby this cost may be altered or reduced. It was hoped that perhaps an extended repayment schedule would permit the complainant to avoid such a large lump sum payment to the Nova Scotia Power Corporation.

The Power Corporation subsequently advised our office that in this particular instance the distance from the existing facilities was 4,593 feet. The Power Corporation would be prepared to extend the poles, at their expense, for a distance of 2,640 feet whilst the length of extension subject to customer contribution would be 1,953 feet. However, at an installation cost of $2.75 per foot, it would cost the customer $5,300.00

Our office was also advised there is a rebate schedule, which applies in cases such as this, when additional customers are added to the line. For example, should another year-round customer locate near the complainant within one full year, then the full rebate would be made to the complainant. This rebate schedule diminishes to zero over a seven year period. However, with regard to an extended payment schedule, the Power Corporation took the position that this would not be possible under the present Policy and Practice. The rationale for this is there would be no way of recouping this money if in fact the customer ceased making payments. It is obvious that once a line is installed, and the customer ceased paying, the only alternate way to recover money would be by legal action, or removal of the line, both solutions of course being extremely costly.

We advised our client that we knew of no solution to his dilemma and the case was closed as "Unsupported."

POLICE COMMISSION

A Matter of Honesty

A young man stole a car before he was quite eighteen years old, was caught, placed on three years probation, and ordered to make restitution. He was a model of good behaviour during his probation, upgrading his education and displaying good citizenship by taking St. John Ambulance training and undergoing Militia service.

He was offered a job with a security agency, for which he was required to be licensed as a private guard. Such licenses are issued by the Nova Scotia Police Commission after application and interview. Thinking that his admission of a criminal conviction would destroy his chances of getting a license, he stated that he had no record of crime. The Police Commission is simply the wrong body to lie to about a criminal record. When questioned, he compounded the lie while trying to portray himself as an innocent victim of circumstances. The license was denied.

The young man came to our office in a most repentant frame of mind, and made a clean breast of the whole affair. He badly wanted the job. We checked his record, which was impeccable since the one offence. We were quite impressed with him, and felt that he was certainly worth taking a chance with.

We urged the youth to tell his story to the Police Commission exactly as he had told it to us. We then wrote to the Chairman of the Police Commission. That very understanding gentleman granted a further interview and the license was issued. The Chairman pointed out that it was not so much the crime as the evasion of truth which had caused the Commission's original denial.

PRIVATE

Arson?

During 1982 we saw much publicity on the subject of arson. We are not qualified to judge whether people faced with high interest rates and lowered incomes are setting fire to their homes to collect the insurance. During the year we received three complaints about insurance and the suspicion of arson, and briefly here tell the story of one.

The complainant's dwelling had been destroyed by fire. At the time she was questioned by the R.C.M.P., but no charges were laid, nor was there any suggestion of court action. After eight months the insurance claim was paid.

Subsequently the complainant married, and she and her husband undertook to build a house. To build a house they needed a mortgage, and to get a mortgage they needed insurance in favour of the mortgagor as first claimant. Construction of the new house was well along and they needed mortgage money to pay the builder. To their consternation, they found that no local agency would issue them insurance, whereupon they tried as far afield as Montreal with the same denials. They had no mortgage and the builder had no money.

We ascertained from the office of the Superintendent of Insurance for Nova Scotia that while companies collectively have an obligation to issue automobile accident coverage, there is no similar obligation regarding insurance on a dwelling.

The impasse persisted until the complainants sought assistance from their local M.L.A. He took up their cause and wrote to insurance companies. His letters must have been couched in most persuasive language, because after all the months of fruitless endeavour a company did provide a policy and a mortgage was secured.

TRANSPORTATION

We receive an interesting variety of complaints concerning the several divisions of the Department of Transportation, which is understandable since this Department has a direct impact one way or another on the lives of most of us. Our complaints cover highway conditions, unregistered roads, drainage, licenses, the breathalyzer, vehicle registration, weigh scales and others. We check them all out.

The Breathalyzer

Many people still do not appreciate the implications of having failed or refused the breathalyzer test. For example, a young man came into the office in a very militant mood, demanding an interview with the Minister immediately. Unfortunately his story was not unusual at all. He had attended a party, done some damage to his car on the

way home, failed the breathalyzer, been fined and had his license suspended for six months. This was most unfair since others at the party had much more to drink than he, but got home without any police trouble. He had a good job, and needed his car for work and also to take on his holidays. In view of all this, he felt that the Minister would restore his license without hesitation. We tried to explain that this would be most unlikely, and that the Minister did not have the power in any case. As far as I know he did in fact get to see the Minister and no doubt got the same answer.

Another young man has been a fairly frequent caller. He has had about six convictions of impairment, breathalyzer test failure, driving while suspended, etc. He has suffered all the penalties including imprisonment. He feels that the police are out to get him, since most of his friends are worse than he is and have no trouble with the police.

Still another man could see no reason why he should not be granted a "conditional" license after having undergone a month of his six-month suspension. He knew people who had enjoyed such a privilege. We can never find out the names of these people who are able to get their driving privileges restored under such circumstances. The Motor Vehicle Act does not authorize it, as it would contravene Section 235 of the Criminal Code of Canada.

Driving Records

The complainant's wife about two years ago was properly parked at a metre and was in her car. Her car was grazed by another and very little damage resulted, but being a conscientious citizen she called the police. The other driver admitted that it was entirely her fault, and under these friendly conditions no claims were made by either party. Now, two years later, our complainant in whose name the car was registered upon applying for renewal of his insurance was told that he had an accident record. The insurance company wanted to know the details. His hitherto unmarred record now had a blot on it.

We found that when the city police are called to the scene of an accident, however minor, they make out a report. The report consists of their observations and any statements they might take, and of course does not contain an opinion of guilt or innocence. A copy of their report is filed with the Department of Transportation Traffic Division, which in turn notifies the insurance company involved.

Is there anything wrong with this procedure? We think not. Perhaps the reader will want to ask himself what he will do when he discovers his next parking-lot accident.

A Salty Well

The complainant's problem arose from the proximity of a salt dome to her property. Salt from this dome had seeped into the surrounding water table and affected the drinking water of several homes that were located near the salt dome. Liability for damages had been accepted by the Department of Transportation, who owned and operated the salt dome.

However, the complainant was not satisfied with the Department's offer because she felt that she should not be required to use any of the "general damages" that had been offered to her by the Department of Transportation to pay for a new water system to her home. It is interesting to note that the amount that was being offered by the Department was unusually high and the Department rarely awards a sum of this size for "general damages".

It should also be noted that when one of my staff had spoken with the complainant, she had indicated that her lawyer had repeatedly advised her that she should accept the Department's offer as it was his feeling that it was the best that she could obtain, without pursuing the matter through a court of law. Indeed, her lawyer had indicated to her that if she decided not to accept the Department's offer, he would terminate his involvement and send her a bill for his services.

After reviewing the letter of complaint and accompanying documentation, it was felt that the Department of Transportation had been most generous in their offer to this lady, and had not treated her unfairly. We advised her that it would be in her best interest to accept the Department's offer because if she forced this matter to a court of law there was a very real possibilty that she could lose the case or see the offer of compensation reduced by a Judge.

This case was closed as "Declined".

SUMMARY OF COMPLAINTS

DEPARTMENT: AGRICULTURE AND MARKETING

Number	Summary of Complaints	Result
2-1	Alleges lawyer retained by Farm Loan Board is holding up business	Assistance Rendered
2-2	Feels government department responsible for drowned cattle due to raising and lowering of water level at causeway	Unsupported
2-3	Feels she should not be denied the services of a veterinarian	Assistance Rendered
2-4	Dispute re her property and the Nova Scotia Farm Loan Board	Discontinued (Client)
2-5	Complaint that he is having "very little success in obtaining specific information from the (Farm Loan) Board"	Under Investigation

DEPARTMENT: ATTORNEY GENERAL

Number	Summary of Complaints	Result
4-1	Complaint concerning length of time it is taking to appeal court decision	Discontinued (Ombudsman)
4-2	Alleged harassment by Royal Canadian Mounted Police	Discontinued (Ombudsman)
4-3	Feels women incarcerated in correctional centre should be given opportunity to work within the institution and be paid for same	Discontinued (Ombudsman)
4-4	Store owner complaining that robbery case has yet to go through the courts	Unsupported
4-5	Complaint that his incarcerated sons are being segregated from other inmates	Unsupported
4-6	Complaint that he is never informed in advance re postponement of trial	Assistance Rendered
4-7	Seeking information re charges	

	against son	Assistance Rendered
4-8	Feels sheriff is not enforcing a court order that she won against her neighbour	Resolved
4-9	Alleges unreasonable delay in processing expropriation claim	Resolved
4-10	Alleges her 17 year old son should not be in custody for break and enter charge as his accomplices were released	Unsupported
4-11	Feels sheriff is not making sufficient attempt to obtain court ordered settlement	Partially Resolved
4-12	Feels sheriff is not enforcing a judgement that was recently awarded him	Unsupported
4-13	Court case concerning drinking while driving boat	Assistance Rendered
4-14	Complaint she cannot get permission to visit inmate son who has been admitted to hospital	Partially Resolved

DEPARTMENT: MUNICIPALITIES

Number	Summary of Complaints	Result
8-1	Feels county building inspector taking unnecessarily hard stand against him re issuance of building permit	Unsupported
8-2	Feels it is unfair to be denied assistance because she is classified as "able-bodied unemployed"	Unsupported
8-3	Feels suspension practices were administered improperly	Assistance Rendered
8-4	Difficulties involving application for part time employment	Assistance Rendered
8-5	Wants city to speed up their efforts to have mother transferred from one nursing home to another	Assistance Rendered
8-6	Questions action of municipality leading to expropriation of his	Discontinued

	property	(Omsbudsman)
8-7	Feels her benefits were unjustly terminated	Assistance Rendered
8-8	Alleges he did not receive notice of assessment or other tax information; now must pay up or lose property in tax sale	Assistance Rendered
8-9	Seeking aid re application for social assistance benefits	Assistance Rendered
8-10	Alleges he is being overcharged for water rates	Resolved
8-11	Complainant cannot get satisfaction from Town Engineer re flooding problem which resulted when town sewer backed-up	Resolved
8-12	Feels there is less than adequate garbage collection in area where he has a camp; feels health committee in same area did not follow health regulations when approving new development	Assistance Rendered
8-13	Feels he was inappropriately dismissed from his employment	Unsupported
8-14	Alleges her social assistance will not be reinstated until she charges her husband with desertion	Assistance Rendered
8-15	Feels municipality should be forcing individual to comply with subdivision laws of the municipality	Assistance Rendered
8-16	Complainant feels municipality should convince School Board to grant him an easement to his water source	Discontinued (Ombudsman)
8-17	Land dispute	Declined
8-18	Alleges severe beating of brother, friend and himself by city police	Declined
8-19	Alleges sister in senior citizen residence receives very low maintenance allowance	Discontinued (Ombudsman)
8-20	Alleges city water commission	

	who assured him they would repair leaking water tank, which is flooding his property, have not done so	Unsupported
8-21	Financial problems involving social assistance	Resolved
8-22	Complaint they are unable to receive social assistance	Assistance Rendered
8-23	Alleges municipality not taking action re violation of building by-law	Unsupported
8-24	Complainant alleges she has been mistreated by Municipal Social Service Department	Unsupported
8-25	Concerns re delay in obtaining building permit for lot	Assistance Rendered
8-26	Problem with assessment of property	Resolved
8-27	Feels price offered by city for expropriation of property is unreasonable	Discontinued (Client)
8-28	Seeking low-rental accommodation	Discontinued (Client)
8-29	Dispute with city re moving of hedges to accommodate installation of sidewalk	Resolved
8-30	Alleges a "shack" has been unlawfully erected near his property	Declined
8-31	Alleges he will lose access to his property if section is expropriated	Discontinued (Client)
8-32	Unhappy about method used by city to collect unpaid bill, particularly because he was unaware the bill was outstanding	Resolved
8-33	Alleges investigation by town police was never recorded or the person concerned prosecuted	Resolved
8-34	Alleges his contact lenses were not returned to him after being incarcerated in holding cell	Discontinued (Client)
8-35	Seeking information on munici-	

	pality's policy for the senior citizen who finds it necessary to go into a nursing home	Assistance Rendered
8-36	Complainant alleges county has invoiced him twice for paving charges	Unsupported
8-37	Opposes location of new municipal dump near her property	Declined
8-38	Feels social worker is "heartless, uncaring" re treatment of her mentally handicapped aunt	Assistance Rendered
8-39	Alleges social service office will not assist him	Assistance Rendered
8-40	Feels he should not be charged a sewer tax because he has never "hooked up" to the system	Assistance Rendered
8-41	County will not issue a building permit for her property	Assistance Rendered
8-42	Feels municipality not enforcing its own by-laws regarding dogs	Assistance Rendered
8-43	Alleges she has paid taxes on property for 50 years yet court decision gives half her land to a neighbour	Unsupported
8-44	Complaint that municipality will not supply specific instructions re "clean up" of property	Assistance Rendered
8-45	Feels town does not enforce by-law which deals with control of dogs running at large	Discontinued (Client)
8-46	Complaint concerning procedures used by the Board of Health	Unsupported
8-47	Alleges she is unable to secure accommodation in public housing	Unsupported
8-48	Feels she was treated unfairly by the local R.R.A.P. official	Assistance Rendered
8-49	Alleges he is unable to receive assistance to cover medical costs	Assistance Rendered
8-50	Feels her sons were harshly	

	dealt with by the school board	Declined
8-51	Alleges police did not follow through with laying charges for common assault and assault causing bodily harm	Assistance Rendered
8-52	Feels certain by-law will prevent them from using their property as they see fit	Unsupported
8-53	Feels the Family and Childrens Services of the county is not concerned with the fate of her foster child	Unsupported
8-54	Feels dog tax should be repealed	Discontinued (Ombudsman)
8-55	Feels city should solve parking problem near hospital	Assistance Rendered
8-56	Feels subdivision should not have been approved by town	Under Investigation
8-57	Feels Fencing Committee should enforce its by-laws and decisions	Unsupported
8-58	Complainant feels he should be eligible for social assistance during enrollment in drug dependency program	Declined
8-59	Seeking advice re application for public housing accommodation	Assistance Rendered
8-60	Feels teacher and principal did not properly handle matter relating to the education of his son in primary school	Declined
8-61	Problem re access ramp from sidewalk to street	Resolved
8-62	Alleges town police not properly enforcing the law re protection of private property	Assistance Rendered
8-63	Sub-divider's complaint that town will not issue building permits for his lots	Declined
8-64	Complaint that application for compensation for flooding damage caused by backup of inadequate sewers was voted	

	down by council	Unsupported
8-65	Feels the county should demolish a house that was partially destroyed by fire	Declined
8-66	Complaint re refusal of city to issue social assistance	Assistance Rendered
8-67	Alleges conflict of interest on part of city alderman	Assistance Rendered
8-68	Feels school board should have awarded her a teaching position	Discontinued (Ombudsman)
8-69	Questions the law re borrowing authority of his town	Assistance Rendered
8-70	Alleges she is about to be unfairly locked in isolation and requests visit from Ombudsman's Office	Assistance Rendered
8-71	Feels the county should rectify contaminated water problem	Assistance Rendered
8-72	Complaint that director of assessment refuses to let him know details of assessment procedures on his building	Discontinued (Client)
8-73	Feels county is procrastinating re clean up of health hazard near his home	Resolved
8-74	Alleges Children's Aid Society not supplying him with answers re his children who are in foster homes	Unsupported
8-75	Feels he should not be responsible for back-taxes on a piece of property he recently purchased	Unsupported
8-76	Complaint town will not compile detailed information he has requested	Declined
8-77	Feels town officials are not using recreation grant for its intended purpose	Unsupported
8-78	Bus driver feels school board owes him three days' pay	Unsupported
8-79	Complaint that he was issued with an incorrect deed for a piece of property	Resolved

8-80	Complaint he was refused financial assistance	Assistance Rendered
8-81	Complaint he has been charged for building a garage without a building permit	Declined
8-82	Complaining over denial of social assistance	Assistance Rendered
8-83	Two unemployed able-bodied men complaining city social assistance people are unsympathetic towards them	Assistance Rendered
8-84	Complainant objects to method of taxation and billing by the municipality re paving of streets	Unsupported
8-85	Complaint city has denied financial assistance for care in nursing home	Declined
8-86	Complaint they were refused social assistance by city	Assistance Rendered
8-87	Complaint he is being refused social assistance	Assistance Rendered
8-88	Complaint he cannot get approval for a building permit	Assistance Rendered
8-89	Feels municipality should assume responsibility for improving the roads in her subdivision	Unsupported
8-90	Feels he should be allowed to transfer from a senior citizen unit in county to another located in city of same county	Discontinued (Client)
8-91	Paranoid person alleges city police manipulate the news on radio and television in order to direct his mind towards certain crimes	Declined
8-92	Feels Department of Social Services is not helping her enough	Assistance Rendered
8-93	Complaint that city has terminated his social assistance benefits	Discontinued (Ombudsman)
8-94	Needs social assistance benefits	Partially Resolved

8-95	Feels housing authority is being unfair in not allowing him to transfer from one county to another	Discontinued (Ombudsman)
8-96	Complainant alleges his children are being harassed by local police force	Discontinued (Client)
8-97	Single parent alleges she is having difficulty obtaining social assistance	Assistance Rendered
8-98	Alleges guards did not take proper steps to protect him from being assaulted by other inmates	Unsupported
8-99	Feels his assistance income is too low	Unsupported
8-100	Alleges county is not enforcing anti-noise by-law	Unsupported
8-101	Complainant alleges conflicting testimony was given by two police officers during his son's trial	Declined
8-102	Complainant alleges she cannot obtain any assistance	Unsupported
8-103	Feels hiring practices of school board are unfair	Assistance Rendered
8-104	Complainant feels county's zoning by-laws are too strict	Unsupported
8-105	Long story concerning children carrying knives at school	Assistance Rendered
8-106	Feels he is being treated unfairly because he was refused a temporary leave of absence from jail	Resolved
8-107	Complaint against community worker re social assistance benefits	Partially Resolved
8-108	Feels sidewalks should be kept in better repair	Assistance Rendered
8-109	Feels municipality is not enforcing their own by-laws with regard to noise, smell, etc.	Assistance Rendered
8-110	Complaint his estranged wife has been "cut off" social assistance benefits	Resolved
8-111	Feels he is being taxed unfairly	

	by the municipality	Under Investigation
8-112	Feels she is being overcharged on her water rate	Under Investigation
8-113	County issued him a wrong deed at tax sale; subsequently the County wants him to incur expenses involved in correcting this mistake	Unsupported
8-114	Feels he and his neighbours are not being treated in an equitable manner	Under Investigation
8-115	Complaint that social worker insists he show proof of job search	Unsupported
8-116	Alleges police force did not investigate his case	Assistance Rendered
8-117	Alleges he is unable to receive temporary assistance	Resolved
8-118	Alleges she was refused assistance	Discontinued (Client)
8-119	Alleges part of his property has been destroyed by town	Under Investigation

DEPARTMENT: CONSUMER AFFAIRS, DEPARTMENT OF

Number	Summary of Complaints	Result
14-1	Nebulous complaint against Residential Tenancies Board	Declined
14-2	Complaint that tenants, unable to raise capital to buy, are being evicted from building that is being converted to condominiums	Assistance Rendered
14-3	Complaint landlord will not return advance payment of rent for apartment she has decided not to let	Assistance Rendered
14-4	Feels Rent Review Commission "conducted its proceedings improperly and illegally"	Unsupported
14-5	Claims he has trouble getting audience with Commission	Assistance Rendered
14-6	Dissatisfied with decision of Rent Review Commission; feels	

	he should be able to review Commission's work papers, and Commission should give reasons for its decisions	Unsupported
14-7	Claims landlord will not rectify problem of water leaking into her basement apartment, and Residential Tenancies Board process too slow to provide immediate relief	Resolved
14-8	Complainant, who has paid all his debts, feels his poor risk credit rating should be dropped	Declined
14-9	Alleges Minister taking too long responding to appeal under the Freedom of Information Act	Assistance Rendered
14-10	Landlord alleges Rent Review Commission keeps policies confidential, thus leaving him at a disadvantage in preparing a defense for approval of rent increases	Resolved
14-11	Complaint involving Rent Review Commission	Discontinued (Ombudsman)
14-12	Dissatisfied with Residential Tenancies Board and Rent Review Commission; "If no support is available, no support should be promised"	Discontinued (Client)
14-13	Feels more information should be available re possible "pitfalls" when buying used goods	Assistance Rendered
14-14	Complaining about the scheduling of hearings before the Rent Review Commission	Declined
14-15	Complaint that he must wait two months for appointment re orderly payment of debts	Resolved
14-16	Alleges maladministration of Rent Review Act in matter of denial of extension of appeal time	Under Investigation
14-17	Complaint re access to information as to how landlord's rental	

	increase was substantiated	Resolved
14-18	Complainant alleges she was evicted because she refused to pay landlord back rent retroactive to '81	Unsupported
14-19	Alleges Tenancies Board not acting in her best interest	Unsupported
14-20	Complaint that new owner of apartment building has evicted all tenants	Under Investigation

DEPARTMENT: COURTS OF LAW, DECISION OF

Number	Summary of Complaints	Result
18-1	Alleges he is a victim of circumstances	Declined
18-2	Unsatisfied with the decision of the Judge with reference to his court hearing	Declined
18-3	Feels Small Claims Court adversary now in position to pay money owing to her	Discontinued (Ombudsman)
18-4	Alleges Sheriff acted improperly in the seizure of his car	Declined
18-5	Compaint against adjudicator of Small Claims Court	Declined
18-6	Feels charges should have been laid in relation to a fatal accident	Discontinued (Ombudsman)
18-7	Dissatisfied with decision of Judge that he not receive restitution as a result of injuries sustained in car accident	Declined
18-8	Feels he should not have lost his case in Small Claims Court hearing	Declined
18-9	Dissatisfied with legal system re divorce	Assistance Rendered
18-10	Problem relating to enforcement of court's decision	Assistance Rendered
18-11	Feels courts have made a "lopsided decision" in his divorce case	Unsupported
18-12	Request that Office of the Om-	

	budsman write a letter, in his favour, to the Judge of Small Claims Court	Declined
18-13	Alleges her husband has been charged with a crime that he did not commit	Discontinued (Client)
18-14	Not pleased with decision rendered by a court in a property dispute	Discontinued (Client)
18-15	Feels his friend has been victim of a miscarriage of justice	Declined

DEPARTMENT: CULTURE, RECREATION, FITNESS, DEPARTMENT OF

Number	Summary of Complaints	Result
22-1	Supplier of Bingo equipment complains that department will not give him list of Bingo operators	Discontinued (Ombudsman)
22-2	Complaint that he has had no acknowledgement to his appeal re suspension as umpire	Resolved
22-3	Alleges he has been unfairly dealt with re Heritage Properties Act	Resolved

DEPARTMENT: DEVELOPMENT, DEPARTMENT OF

Number	Summary of Complaints	Result
24-1	Alleges coke loading operations on government wharf have damaged his home; request for cost of repairs	Discontinued (Ombudsman)

DEPARTMENT: EDUCATION, DEPARTMENT OF

Number	Summary of Complaints	Result
26-1	Alleges unfair treatment by school re grading of son's examinations	Resolved
26-2	Questions concerning foreign teachers purchasing teaching	

	service for pension purposes	Assistance Rendered
26-3	Feels policy concerning out-of-province service and pension plan is not being applied in a uniform manner	Resolved
24-4	Problems involving his enrollment at teacher's college	Assistance Rendered
26-5	Feels he has been maligned and misjudged by faculty members	Discontinued (Client)
26-6	Alleges school board has refused to grant a formal hearing with regard to "Items of Concern"	Unsupported
26-7	Complaint school board wants to close school	Assistance Rendered
26-8	Feels he was dismissed unfairly from bakeman course	Declined
26-9	Difficulties involving sons' admission to vocational schools	Assistance Rendered
26-10	Adult Education teacher complaining that she faces mandatory retirement	Discontinued (Client)
26-11	Alleges he was denied library card because of little joke he put on application form	Discontinued (Ombudsman)
26-12	Feels she was dismissed unfairly by the Department of Education	Declined
26-13	Feels she has been unfairly denied benefits by the Teachers Pension Committee	Unsupported
26-14	Complaint he was refused admission to specialized school	Discontinued (Client)
26-15	Protesting closure of Atlantic Institute of Education	Assistance Rendered
26-16	Complaint school in her area has been closed	Declined
26-17	Protesting closure of Atlantic Institute of Education	Assistance Rendered
26-18	Complaint re withdrawal of provincial funding for the Atlantic Institute of Education	Assistance Rendered
26-19	Protesting closure of Atlantic Institute of Education	Assistance Rendered

26-20	Complaint he was expelled from vocational training course due to excess absenteeism	Discontinued (Ombudsman)
26-21	Protesting closure of Atlantic Institute of Education	Discontinued (Client)

DEPARTMENT: ENVIRONMENT, DEPARTMENT OF

Number	Summary of Complaints	Result
30-1	Feels contractor did not abide by the Act and Regulations re drilling of her well	Assistance Rendered
30-2	Feels the Department of the Environment is not taking enough action with regard to her complaint	Assistance Rendered
30-3	Feels department should enforce its mandate	Assistance Rendered
30-4	Feels Department of the Environment should investigate and cease to permit his neighbour from dumping unsafe chemicals in a field nearby	Partially Resolved
30-5	Concerns re location of septic dump	Unsupported
30-6	Complaint against decision re herbicidal spraying	Discontinued (Client)
30-7	Body paint shop next door emits dust and fumes making use of his backyard impossible; complaint that department has not rectified the problem	Assistance Rendered
30-8	Feels government should ban all types of chemical sprays that the forest industry uses	Discontinued (Client)
30-9	Feels department should not permit the spraying of chemicals on the forests of Cape Breton	Discontinued (Ombudsman)
30-10	Opposed to forest spray program	Discontinued (Ombudsman)
30-11	Feels the department should	

	assist her in protecting her property from erosion	Discontinued (Ombudsman)

DEPARTMENT: FEDERAL DEPARTMENTS AND AGENCIES

Number	Summary of Complaints	Result
32-1	Alleges application for unemployment insurance is not being processed because employer has not sent in separation slip	Assistance Rendered
32-2	Feels it is taking too long for Veteran's Affairs department to process his application for a disability pension	Assistance Rendered
32-3	Alleges Unemployment Insurance Commission failed to answer letters re claim	Assistance Rendered
32-4	Requesting assistance in applying for veteran's pension	Assistance Rendered
32-5	Feels he should not have to repay total overpayment of unemployment insurance benefits as error was departmental	Assistance Rendered
32-6	Feels she is eligible for a pension from the Halifax Explosion Fund	Assistance Rendered
32-7	Alleges income tax department, after re-assessment, will not accept monthly payments of tax owed	Resolved
32-8	Request from man on parole that he may report to probation office in another county while he receives medical attention there	Assistance Rendered
32-9	Feels delay for work permit in Canada is prolonged	Assistance Rendered
32-10	Complaint that license to net herring on a non-commercial basis will be cancelled	Unsupported
32-11	Lengthy complaint about poor delivery of mail	Unsupported

32-12	Difficulties involving husband's claim for sick benefits	Resolved
32-13	Complaint that bankrupt company she had worked for did not issue separation certificate and therefore she is unable to apply for unemployment insurance benefits	Assistance Rendered
32-14	Complainant did not receive notices re overpayment of refund; complaint that income tax department has proceeded with garnishee order	Assistance Rendered
32-15	Complaint his wages are being garnisheed because of alleged overpayment of unemployment insurance benefits	Discontinued (Client)
32-16	Inquiry re federal oil-conversion heating grant	Assistance Rendered
32-17	A complaint with regard to the length of time it is taking to receive a cheque to cover conversion costs	Assistance Rendered
32-18	Complaint she was not asked for interview for Statistics Canada job	Assistance Rendered
32-19	Inmate complains he is being refused drugs that will reduce pain	Unsupported
32-20	Complainant alleges he has not received his family allowance cheques since his move to Nova Scotia	Assistance Rendered
32-21	Due to a clerical error he has not received his pension cheque for two months	Assistance Rendered
32-22	Complainant could not obtain a definite answer as to when he may expect payment for work completed under a conversion program	Assistance Rendered
32-23	Alleges he cannot get dock unloading space for his fish plant	Discontinued (Client)

32-24	Complaint there has been a delay of several months in pension processing	Assistance Rendered
32-25	Friend experiencing difficulties re unemployment insurance claim	Assistance Rendered
32-26	Feels she was wrongly issued with a warning ticket by an R.C.M.P. Officer	Assistance Rendered
32-27	Concerned with the length of time it is taking for Canada Pension to decide as to whether she is entitled to widow's benefit	Resolved
32-28	Alleges department's new regulations are not fair	Assistance Rendered
32-29	Problems with Revenue Canada	Assistance Rendered
32-30	Complainant feels it is unfair for widows to lose their Canada Pension benefits when they remarry	Assistance Rendered
32-31	Feels the department stopped his boat subsidy on a technicality	Discontinued (Ombudsman)
32-32	Alleges R.C.M.P. is using illegal radar equipment in patrol cars	Unsupported
32-33	Feels he should have been awarded job with federal government	Declined
32-34	Worker who has suffered injury feels he is getting run-around	Assistance Rendered
32-35	Complaint his application for residential rehabilitation was turned down	Unsupported
32-36	Complaint Canada Mortgage and Housing Corporation has started proceedings to foreclose his property	Declined
32-37	Claims registered letter to his lawyer was never delivered	Unsupported
32-38	Alleges Sheriff is not empowered, and refuses to collect, payment from native Indian	Assistance Rendered
32-39	Delay in grant for conversion of oil to wood heat	Assistance Rendered

32-40	Complaint against R.C.M.P.; no charges were laid as result of arson and theft to his property	Discontinued (Ombudsman)
32-41	Problems centering around rural and native housing program	Resolved
32-42	Complaint concerning purchase and sale of home through Canada Mortgage and Housing Corporation	Assistance Rendered
32-43	Complaint that Canada Mortgage and Housing loan is being held up due to same not approving estimates given by contractors	Resolved
32-44	Complaint that deductions are being taken from his supplementary allowance as a result of income tax findings	Discontinued (Ombudsman)
32-45	Feels her Guaranteed Income Supplement should not be reduced due to lump sum payment	Assistance Rendered
32-46	Request for aid in applying for Residential Rehabilitation Program	Assistance Rendered
32-47	Complaints about rural and native housing program allowing person of "undesirable character" to obtain housing in her neighbourhood	Assistance Rendered
32-48	Dissatisfied with reasons given for not being re-hired	Discontinued (Ombudsman)
32-49	Feels there are too many deficiencies in rehabilitative treatment of rapists	Assistance Rendered
32-50	Complaint that her mail is being delivered to the wrong address	Assistance Rendered
32-51	Feels it is taking too long to process his claim for unemployment insurance benefits	Assistance Rendered
32-52	Feels he should not have to wait six weeks to collect unemployment insurance benefits due to his unusual circumstances	Assistance Rendered

32-53	Complainant making allegations against certain RCMP officers	Unsupported
32-54	Problem getting payment for supplies provided for government contract jobs	Assistance Rendered
32-55	Complaint that he has been unsuccessful two years in a row in getting a seat on a Heavy Duty Repair course	Assistance Rendered
32-56	Complaint that she has waited six weeks for decision re her eligibility for unemployment insurance benefits	Assistance Rendered
32-57	Alleges post office lost her "registered" letter	Assistance Rendered
32-58	Feels the recent construction of a causeway near his home will diminish the value of his property	Under Investigation
32-59	Complaint his employment with the coast guard has been terminated	Assistance Rendered
32-60	Complaint she has still not received her income tax refund	Assistance Rendered
32-61	Complainant distressed by tone of notices advising her of income tax owed	Assistance Rendered
32-62	Alleges she is having undue difficulty receiving Old Age Security Benefits	Assistance Rendered
32-63	Complainant advises of the "run-around" received from information officers	Assistance Rendered
32-64	Complaint that they have been turned down grant/loan for expansion of business	Discontinued (Ombudsman)
32-65	Alleges Revenue Department will not assist him in locating his lost tax refund	Assistance Rendered
32-66	Request for aid in locating Canada Pension Office in his area	Assistance Rendered
32-67	Complaint that unemployment	

	insurance benefits are delayed five weeks	Partially Resolved
32-68	Alleges he cannot get "straight answer" surrounding grant	Assistance Rendered
32-69	Concerned with length of time it is taking to process application for Canada Pension benefits	Declined
32-70	Alleges unfair dismissal	Declined
32-71	Seeking assistance re information from C.M.H.C.	Assistance Rendered
32-72	Complaint against income tax department	Assistance Rendered
32-73	Complaint that his mother's Old Age Security cheque has not yet been received	Assistance Rendered
32-74	Complaint she has been denied insulation grant and loan	Assistance Rendered
32-75	Complaint his job will no longer be available after serving nine months in correctional centre	Under Investigation
32-76	Alleges federal office does not answer her correspondence	Resolved
32-77	Seeking our assistance to determine why Canada Mortgage and Housing refused to finance a home for him	Assistance Rendered
32-78	Feels decision concerning his Veteran's Pension is unfair	Declined
32-79	Troubles concerning Canada Mortgage and Housing Corporation grant	Under Investigation
32-80	Alleges she is having undue difficulty in obtaining Old Age Benefits	Discontinued (Ombudsman)
32-81	Complaint RCMP say he is wanted on narcotics charge which he denies	Assistance Rendered
32-82	Part-time farmer having trouble with Revenue Canada	Discontinued (Ombudsman)
32-83	Feels it is taking too long to process her claim for unemployment insurance benefits	Assistance Rendered
32-84	Alleges he cannot obtain a tax number for employee's deduc	

	tions	Unsupported
32-85	Alleges she and a friend were indecently assaulted by porter on train	Under Investigation
32-86	Revenue Canada Taxation has no record of cheque submitted	Under Investigation

DEPARTMENT: FINANCE, DEPARTMENT OF

Number	Summary of Complaints	Result
34-1	Complaint concerning double taxation on purchase of new car	Resolved
34-2	Anonymous caller telling long story re patronage hiring in department	Assistance Rendered
34-3	Inquiry re "buying back" pension rights	Assistance Rendered
34-4	Complaint that new law re tax on trailers was not applicable in her situation	Declined
34-5	Difficulty getting return of pension contributions	Assistance Rendered
34-6	Requesting information re pension monies that are due him from a private company	Resolved
34-7	Feels she should not have to pay sales tax on car purchase as she is handicapped	Assistance Rendered

DEPARTMENT: FISHERIES, DEPARTMENT OF

Number	Summary of Complaints	Result
36-1	Feels he was harshly dealt with by a fisheries enforcement officer	Assistance Rendered
36-2	Complaint that re-location of fish plant will bring it into residential area	Declined

DEPARTMENT: HEALTH, DEPARTMENT OF

Number	Summary of Complaints	Result
38-1	Difficulties involving the Board of Chiropractors	Discontinued (Client)
38-2	Senior citizen, whose birth was not recorded, has been unable to receive old age pension and disability pension	Resolved
38-3	Seeking our assistance to have the correct spelling of her name on her birth certificate	Resolved
38-4	Feels Health Inspector was negligent re inspection of septic field in new house	Unsupported
38-5	Older gentleman who doesn't know his year of birth wishes assistance in obtaining birth certificate	Assistance Rendered
38-6	Complaint that he was forced to resign job for drinking during his lunch-hour on two occasions	Unsupported
38-7	Feels home with "contaminated basement" should be condemned as a health hazard	Assistance Rendered
38-8	Alleges department not enforcing their regulations	Unsupported
38-9	Surname of her baby was not registered in the hyphenated manner she requested; complains she must pay fee for Change of Name Act to get desired surname	Assistance Rendered
38-10	Difficulties re proof of age for birth certificate	Assistance Rendered
38-11	Former employee of Department of Health alleges breakdown of communication re transfer of his superannuation funds	Resolved
38-12	Feels the government cut-backs in the area of health services are discriminatory	Declined
38-13	Complaint he is forbidden to	

	visit friends in hospital	Declined
38-14	Feels he was "forced" to comply with regulations but a competitor is permitted to bend the rules	Assistance Rendered
38-15	Difficulties regarding birth registration	Resolved
38-16	Feels a number of government departments and individuals are spying on him	Declined
38-17	Enquiry/request for aid concerning reimbursement of expenses incurred for unexpected out-of-province medical treatment	Under Investigation
38-18	Contractor's complaint that authorized extra work for roofing job on hospital has not been paid	Resolved

DEPARTMENT: HEALTH SERVICES AND INSURANCE

Number	Summary of Complaints	Result
40-1	Doctor disputes action taken by Maritime Medical Care	Discontinued (Ombudsman)
40-2	Employee-employer difficulties	Assistance Rendered
40-3	Unable to have dental work on children paid for under provincial dental plan	Discontinued (Client)
40-4	Complainant, who has moved from British Columbia, having difficulty re medical expenses in Nova Scotia	Resolved
40-5	Alleges MSI is interfering in his relationship with doctors	Unsupported
40-6	Complaint that MSI will not pay all bills for out-of-province medical treatment	Assistance Rendered
40-7	Feels a patient at a nursing home should be able to choose their own drug store	Assistance Rendered
40-8	Feels MSI should pay for necessary oral surgery	Discontinued (Ombudsman)
40-9	Complaint that MSI would pay	

	only a portion of costs for surgery of child operated on in United States of America	Assistance Rendered

DEPARTMENT: HOUSING COMMISSION, N.S.

Number	Summary of Complaints	Result
44-1	Seeking clarification with regard to an advertisement placed by the department in a local newspaper	Discontinued (Ombudsman)
44-2	Alleges Senior Citizens Assistance Program is "vastly overworked or half-vastly efficient"	Assistance Rendered
44-3	Request for assistance in tracing his application sent in for the Senior Citizen Home Improvement Program	Assistance Rendered
44-4	Alleges difficulties dealing with Housing Commission as he attempts to help client secure accommodation under Commission's lease-purchase program	Discontinued (Client)
44-5	Difficulties re applications for housing under various Commission programs	Assistance Rendered
44-6	Complaint that she was not advised to discontinue home insulation program due to depletion of funds	Discontinued (Ombudsman)
44-7	Complaint that monies of approved loan have still not been received	Resolved
44-8	Alleges applicants are not given a fair hearing re application for public housing	Discontinued (Client)
44-9	Unusual problem of dust in her Senior Citizen's apartment	Under Investigation
44-10	Complaint she is not eligible for home insulation grant	Under Investigation
44-11	Complaint regarding lack of assistance by government hous-	

	ing agency	Resolved
44-12	Problem re newly purchased home	Resolved
44-13	Alleges he was refused small loan to renovate his home	Assistance Rendered

DEPARTMENT: HUMAN RIGHTS COMMISSION, N.S.

Number	Summary of Complaints	Result
46-1	Alleges director of commission refuses to sign agreement which would enable him to resolve problem involving swimming pool at hospital	Assistance Rendered
46-2	Complaint that Human Rights Commission office is not easily accessible to disabled people	Discontinued (Ombudsman)
46-3	Complaint that Human Rights officer is mis-handling his case	Declined

DEPARTMENT: LABOUR, DEPARTMENT OF

Number	Summary of Complaints	Result
48-1	Alleges unfair counting of ballots for union certification vote	Assistance Rendered
48-2	Query whether man over sixty, unemployed carpenter, should continue to pay union dues	Assistance Rendered
48-3	Feels he was unfairly expelled from course at Nova Scotia Institute of Technology	Unsupported
48-4	Feels the Fire Marshall has treated him unfairly	Unsupported
48-5	Complaint that query to Labour Standards Board has not been answered	Partially Resolved
48-6	Alleges department not being forceful enough in pursuing her complaint against a former employer	Resolved
48-7	Complainant alleges she did not	

	receive salary and vacation pay that was due her	Discontinued (Client)
48-8	"Employer" feels vacation pay should not have been awarded his "employee", by Labour Board, due to nature of the job	Partially Resolved

DEPARTMENT: LANDS AND FORESTS, DEPARTMENT OF

Number	Summary of Complaints	Result
50-1	Grievor feels he should receive a settlement for loss of mink	Assistance Rendered
50-2	Difficulties obtaining grant from Crown re property	Discontinued (Client)
50-3	Complainant bought woodcutting rights from Department of Lands and Forests; wants compensation because wood is not worth cutting	Unsupported
50-4	Alleges officials plotted against them to take away their property	Declined
50-5	Feels department causing him numerous problems	Discontinued (Ombudsman)
50-6	Difficulties re clear title of land	Assistance Rendered
50-7	Land dispute implicating inheritances and expropriation	Under Investigation
50-8	Complaint that game official would not issue him a permit to salvage meat from a deer which was killed in a collision with truck	Assistance Rendered

DEPARTMENT: LIQUOR COMMISSION, NOVA SCOTIA

Number	Summary of Complaints	Result
52-1	Unhappy with Commission's return policy	Assistance Rendered

DEPARTMENT: MINES AND ENERGY, DEPARTMENT OF

Number	Summary of Complaints	Result
54-1	Feels he, a native Nova Scotian, should have received job instead of successful candidate who comes from outside Canada	Assistance Rendered
54-2	Requesting assistance to obtain information on property owner's rights in relation to a mining company	Assistance Rendered
54-3	Feels department is withholding money that is due him regarding oil and gas leases	Discontinued (Ombudsman)

DEPARTMENT: MUNICIPAL AFFAIRS, DEPARTMENT OF

Number	Summary of Complaints	Result
56-1	Expressed concerns over inconsistencies in decisions of appeal court re assessment of homes insulated with urea formaldehyde	Discontinued (Client)
56-2	Feels he should be eligible for special deduction on municipal taxes	Assistance Rendered
56-3	Feels he was improperly dismissed by department in 1976	Discontinued (Ombudsman)
56-4	Feels he is being given the "runaround" by tax assessor	Resolved
56-5	Feels he is being assessed for property that he does not own	Resolved

DEPARTMENT: OTHER BRANCHES OF GOVERNMENT

Number	Summary of Complaints	Result
58-1	Alleges Elections Act discriminates against students on basis of marital status	Assistance Rendered

DEPARTMENT: POLICE COMMISSION, N.S.

Number	Summary of Complaints	Result
60-1	Issuance of private guard license has been denied	Assistance Rendered

DEPARTMENT: POWER CORPORATION, NOVA SCOTIA

Number	Summary of Complaints	Result
62-1	Employer-employee problem re job promotion	Assistance Rendered
62-2	Feels Corporation should relocate power pole at no cost to him	Unsupported
62-3	Complaint he is refused electrical service because he will not give his social insurance number	Assistance Rendered
62-4	Difficulties obtaining refund of deposit	Assistance Rendered
62-5	Feels he should not have been charged "connection" charge to have service put in new apartment	Assistance Rendered
62-6	Faulty meter has led to reassessment of monies owed; alleges she must pay bill immediately or her power will be disconnected	Assistance Rendered
62-7	Feels Power Corporation's notice to disconnect inappropriate	Unsupported
62-8	Corporation transferring her husband's five year old account to her account	Discontinued (Client)
62-9	Complainant wishes to find out who paid his power bill	Assistance Rendered
62-10	Feels he should only have one power meter for his house and his barn; presently there are two	Resolved
62-11	Employment and superannuation problems	Resolved

62-12	Feels Corporation charging an excessive amount to extend power to his home	Unsupported
62-13	Complaint that Power Corporation will not hook up power to his trailer until he pays past bills	Declined
62-14	Feels she should be reimbursed costs to repair microwave oven, television which were damaged by power surge	Declined
62-15	Feels new meter is not reading consumption of power accurately	Unsupported
62-16	Feels he was dismissed unjustly from job with Power Corporation	Assistance Rendered
62-17	Alleges the cost and installation charges for a power pole were excessive	Assistance Rendered
62-18	Feels he is not being treated fairly with regard to a recent job demotion	Unsupported

DEPARTMENT: PRIVATE MATTERS

Number	Summary of Complaints	Result
64-1	Difficulties concerning credit card	Declined
64-2	Complaint that he was fired "without warning, without consultation"	Declined
64-3	Seeking information re procedures to follow concerning employment difficulties involving union	Assistance Rendered
64-4	Alleges malpractice against several doctors following death of her mother	Assistance Rendered
64-5	Seeking information re the return of late daughter's personal effects from the Toronto Police Department	Assistance Rendered
64-6	Dissatisfied with services of lawyer	Assistance Rendered

64-7	Complaint concerning accident and dissatisfaction with lawyer	Assistance Rendered
64-8	Alleges someone stole items from truck moving her belongings from one apartment to another	Declined
64-9	Feels she should be getting more disability pension from Compensation Board of another province	Assistance Rendered
64-10	Alleges unsafe working conditions led to injury	Assistance Rendered
64-11	Man disturbed over anonymous phone call he received after he purchased an old organ	Assistance Rendered
64-12	Feels he should have been rehired for job	Assistance Rendered
64-13	Alleges his services were unjustly terminated and he received no pay in lieu of notice	Assistance Rendered
64-14	Complaint her ex-husband is not making alimony payments	Assistance Rendered
64-15	Alleges minor league hockey coach was unfairly suspended	Assistance Rendered
64-16	Complaint she has waited three months for Canada Savings Bonds certificates	Assistance Rendered
64-17	Caller wanting to know the total number of complaints against the Department of Education	Assistance Rendered
64-18	Seeking information re his rights as a contractor	Assistance Rendered
64-19	Questions concerning estate, will, probate court, etc.	Declined
64-20	Problem involving property boundaries and complaint against land surveyors	Declined
64-21	Complaint he did not receive severance pay when laid off	Assistance Rendered
64-22	Complainant has waited five months for refund of payment for materials lost by courier service	Resolved
64-23	Complaint she is unable to get a	

	cash refund on sale item she is returning	Declined
64-24	Problems with neighbour involving primarily a dispute over land; but also violations of county's building by-laws and province's environmental laws	Declined
64-25	Complaint her ex-husband has not kept up maintenance payments	Assistance Rendered
64-26	Request for information on how to obtain a credit rating	Assistance Rendered
64-27	Protocol questions re how to address the Premier, Lieutenant-Governor, Governor-General, in writing	Assistance Rendered
64-28	Allegedly was refused opportunity to fill out application form for legal aid	Resolved
64-29	Complaint bank will not insure his mortgage	Assistance Rendered
64-30	Alleges his employment was unjustly terminated by construction company	Discontinued (Ombudsman)
64-31	After receiving clearance, from his lawyer, on his building lot, he built his home and then discovered he did not have a clear title to his land	Declined
64-32	Alleged harassment by private company over sum of money owed	Discontinued (Ombudsman)
64-33	Requesting assistance on numerous problems of brother who is an inmate in federal penitentiary	Assistance Rendered
64-34	Seeking information on payment of medical bill	Resolved
64-35	Numerous personal complaints	Assistance Rendered
64-36	Wants to obtain a lump sum payment of monies presently being paid to him in quarterly installments	Assistance Rendered
64-37	Alleges he is being harassed by	

	his neighbours	Assistance Rendered
64-38	Car salesman unhappy with methods used by television station to get camera footage of him	Assistance Rendered
64-39	Complaint that collection agency has threatened to sell her home in order to pay debts owed	Assistance Rendered
64-40	Wants to know how to go about getting cable TV for his area	Assistance Rendered
64-41	Lengthy story concerning personal problems with several levels of government	Under Investigation
64-42	Complaint that dealer repossessed car, sold it, now is demanding balance due	Assistance Rendered
64-43	Feels legislation should be passed to provide compensation for lung damage incurred through work in occupations other than coal-mining	Assistance Rendered
64-44	Request for help re brother who is a heavy drug user	Discontinued (Client)
64-45	Numerous financial problems	Declined
64-46	Complainant feels his lawyer is not working in his best interest re divorce and property settlement	Assistance Rendered
64-47	Dissatisfied with services of doctor re her mother who is in deep state of depression	Assistance Rendered
64-48	Complaint that her son was not hired for same summer job he had the previous year	Unsupported
64-49	Unable to control fifteen year old daughter and wants to obtain help for her	Resolved
64-50	Complaint with private company	Declined
64-51	Alleged harassment by neighbours	Declined
64-52	Complaint he was asked to resign managerial position; bonus that was promised (orally) never materialized	Discontinued (Ombudsman)

64-53	Ex-manager with impressive resumé complains he cannot get job because of lack of construction work projects	Assistance Rendered
64-54	Complaint seepage from gas station has ruined her new well	Discontinued (Client)
64-55	Alleges she cannot collect benefits from insurance company	Assistance Rendered
64-56	Tenant-landlord dispute	Declined
64-57	Complaint she was fired by new manager after being with company for one and one half years	Unsupported
64-58	Request for help from car accident victim to obtain balance of award for damages	Assistance Rendered
64-59	Complaint that due to collapse of travel agency her vacation to Florida was cancelled	Assistance Rendered
64-60	Complaint she has been evicted from her apartment	Assistance Rendered
64-61	Alleges incompetence on part of medical doctors	Declined
64-62	Referral of information	Assistance Rendered
64-63	Seeking advice re property distribution due to marriage break up	Assistance Rendered
64-64	Residents complaining that a folk festival is being planned for land adjacent to their property	Discontinued (Ombudsman)
64-65	Alleges she was "ripped-off" by a used car lot	Assistance Rendered
64-66	Land ownership problem	Discontinued (Client)
64-67	Complaint that supplier of diesel fuel to farmers is not using uniform policy when collecting the tax	Discontinued (Client)
64-68	Problems with estate of father, lawyer, etc.	Discontinued (Client)
64-69	Multitude of complaints involving native people, government grants and programs	Assistance Rendered
64-70	Car purchased by son later repossessed because of lien	

	against it of which son was unaware	Assistance Rendered
64-71	Complaint tenant of cabin left it in a filthy state	Assistance Rendered
64-72	Complaint insurance company refuses to pay for damages	Assistance Rendered
64-73	Nebulous complaint from paranoid and totally incoherent person	Declined
64-74	Property dispute with neighbour	Declined
64-75	Feels lawyer is "stalling" with regard to a court hearing	Assistance Rendered
64-76	Feels lawyer and judge did not act properly regarding a property dispute that went to court	Assistance Rendered
64-77	Feels she was treated unfairly by lawyers, courts of law, and, with respect to her property	Declined
64-78	Property dispute	Assistance Rendered
64-79	Complainant feels the bill he received from his lawyer is very high	Assistance Rendered
64-80	Complaint against a university	Assistance Rendered
64-81	Complaint he is unable to find employment	Assistance Rendered
64-82	Complaint re exhumation of a family member	Declined
64-83	Feels federal government should be enforcing terms of contract on his employer	Resolved
64-84	Complaint that taxi driver, who hit his new car, refuses to advise insurers	Assistance Rendered
64-85	Request for assistance in obtaining interview with Minister	Recommendation
64-86	Problems re new truck	Assistance Rendered
64-87	Feels university is being harsh by suspending son for two years	Declined
64-88	Problem involving sewage system for newly purchased house	Declined
64-89	Complaint he cannot dispose of pulpwood to paper company	Discontinued (Ombudsman)
64-90	Complaint concerning refund	

	policy of lottery	Assistance Rendered
64-91	Long involved story re medical problems	Declined
64-92	Complaint she was refused credit card privileges	Assistance Rendered
64-93	Unspecific complaint	Discontinued (Client)
64-94	Dispute with neighbour's teenage children	Declined
64-95	Complaint trucking project will be finished before he gets approval to work	Assistance Rendered
64-96	Problems re work done on truck	Assistance Rendered
64-97	Complaint she was refused a disability pension on her insurance policy	Assistance Rendered
64-98	Complaint he is being harassed by his neighbour's children	Assistance Rendered
64-99	Complaint that furnace has not worked properly since the time it was installed	Assistance Rendered
64-100	Alleges she must wait three years before applying for a divorce	Assistance Rendered
64-101	Car accident victim having difficulties re insurance claim	Declined
64-102	Difficulties re insurance claim	Assistance Rendered
64-103	In 1951 complainant put savings bond in bank; bond is missing	Assistance Rendered
64-104	Alleges since contractor did work in her basement, flooding is more severe and more frequent	Assistance Rendered
64-105	Recipient of benefits from Workman's Compensation Board of Ontario encountering numerous problems regarding receipt of her cheques on a regular basis since moving to Nova Scotia	Assistance Rendered
64-106	Feels insurance company should be forced to insure her new home	Assistance Rendered
64-107	Complaint that his new car is a "lemon"	Assistance Rendered

64-108	Dispute between two businesses re location of their "operations" at station	Discontinued (Client)
64-109	Complaint that money was stolen from purse in lounge of hotel and remuneration is refused	Assistance Rendered
64-110	Feels she was unfairly "fired" from her job	Assistance Rendered
64-111	Employment problems involving labour relations board and unemployment insurance commission	Assistance Rendered
64-112	Request for "rights" as a part-time employee	Assistance Rendered
64-113	Feels landlord is charging in excess of the permitted rent	Assistance Rendered
64-114	Complaint that after working 34 years with same company he was fired with loss of all benefits	Discontinued (Ombudsman)
64-115	Harassment by ex-husband	Assistance Rendered
64-116	Woman asking about procedures re locating a sister she hasn't been in contact with for 33 years	Assistance Rendered
64-117	Complaint that company going into receivership won't pay $500.00 owed in back wages	Resolved
64-118	No particular complaint but alleges Salvation Army will not give him his cheque	Unsupported
64-119	Alleges her ex-landlord refuses to return her damage deposit	Assistance Rendered
64-120	Seeks aid re consolidation of two mortgages which are both about to be foreclosed	Assistance Rendered
64-121	Seeking help re housing problem	Assistance Rendered
64-122	Criticism against religion	Unsupported
64-123	Complaining because landlord will not return security deposit	Assistance Rendered
64-124	Complaining about employment decision made by a hospital board	Declined

64-125	Complaint that seller of home did not inform her that there would be an additional expense of sewer charges owed to the county over a twenty-five year period	Assistance Rendered
64-126	Insurance company will not pay claim for furnace repairs	Assistance Rendered
64-127	Feels lawyer not settling father's estate to her satisfaction	Under Investigation
64-128	Rental increase of $65.00	Declined
64-129	Complaint re policies of union	Declined
64-130	Land dispute	Declined
64-131	Difficulties re purchase of house	Assistance Rendered
64-132	Feels he does not owe hotel bill as he was guest lecturer for conference	Assistance Rendered
64-133	Complaint that friend has been evicted because he had "too many records"	Assistance Rendered
64-134	Change in job status	Assistance Rendered
64-135	Insurance company has refused to pay his claim	Assistance Rendered
64-136	Complaint that door to door salesman, with whom she had previously done business, is asking neighbours personal questions about her	Assistance Rendered
64-137	Feels she is not being treated fairly by landlord	Assistance Rendered
64-138	Alleges he was over-charged by local car dealer	Assistance Rendered
64-139	Property dispute	Unsupported
64-140	Difficulty with bank in retiring debts incurred by son	Assistance Rendered
64-141	Complaint that rent has increased by an excessive amount	Assistance Rendered
64-142	Feels we can be of assistance locating her missing granddaughter	Declined
64-143	Long complaint about harassment, her husband, nobody will listen to her	Declined
64-144	Group of church people seeking	

	help against decision to celebrate Hallowe'en on Sunday	Assistance Rendered
64-145	Complainant alleges she was turned down for credit because she is a recipient of social assistance	Assistance Rendered
64-146	Complainant alleges she was misled when applying for credit	Assistance Rendered
64-147	Complainant experiencing problems with the purchase of a piece of property	Declined
64-148	Requesting our assistance to intervene in a matter which is before the court	Declined
64-149	Purchased a lot in cemetery; alleges owner not living up to terms and conditions of contract	Declined
64-150	Complaint concerning business practices of cemetery owners	Declined
64-151	Seeking advice re choice of two methods to pay lawyer for services rendered	Assistance Rendered
64-152	"Protest the exorbitant increase in monthly rent"	Discontinued (Ombudsman)
64-153	Complainant experiencing problems after declaring personal bankruptcy	Discontinued (Client)
64-154	Problem with neighbours and property line	Assistance Rendered
64-155	Feels he is not being treated fairly by insurance company	Assistance Rendered
64-156	Complaint that contractor exceeded original bid for work done and is charging for same	Declined
64-157	Truck driver feels he was fired illegally	Assistance Rendered
64-158	Numerous complaints relating to loss of home, charges of arson, garnishee of wages, etc.	Assistance Rendered
64-159	Feels he paid too much for new car	Assistance Rendered
64-160	Property dispute	Declined
64-161	Complaint disability benefits have been suspended by in-	

	surance company	Assistance Rendered
64-162	Property dispute with neighbour	Discontinued (Ombudsman)
64-163	Complainant unhappy with car she bought	Assistance Rendered
64-164	Caller wants to know safe place to invest in stocks and bonds at good profit	Assistance Rendered
64-165	Trouble with insurance claim	Resolved
64-166	Feels bank was ruthless and unfair in their decision to put his business into receivership	Discontinued (Client)
64-167	Child custody case	Declined
64-168	Very long list of ailments	Unsupported
64-169	Marriage problems including legal rights to her possessions	Discontinued (Client)
64-170	Complaint that major credit cards, are now passing cost of credit by customers, to the gas dealer	Assistance Rendered
64-171	Alleges she was assaulted by police in another province	Assistance Rendered
64-172	Difficulties with car repair	Assistance Rendered
64-173	Alleges insurance company will not pay for the repair of defective radar set used in fishing	Assistance Rendered
64-174	Long complaint regarding lawyers, missing documents, alcoholism, etc.	Declined
64-175	Employment difficulties	Assistance Rendered
64-176	Property dispute	Assistance Rendered
64-177	Feels he has been treated unjustly regarding the demise of his company	Declined
64-178	Complaint re leaking roof	Assistance Rendered
64-179	Requesting assistance regarding the placement of a lien by a creditor against a company that was recently placed in receivership	Assistance Rendered
64-180	Anonymous writer alleging "illegal act of hiring personnel" at laboratory	Unsupported
64-181	Complaint re legal costs	Assistance Rendered

64-182	Complaint new neighbour has installed his sewer line on her property	Assistance Rendered
64-183	Complaint against a private car dealership	Assistance Rendered
64-184	Complaint that will of her husband is being contested by their daughter	Assistance Rendered
64-185	Single parent seeking accommodation	Declined
64-186	Requesting our assistance to solve problems with former employer	Assistance Rendered
64-187	Complaint landlord deducted $45.00 from security deposit refund for damage and cleaning	Unsupported
64-188	Worker who retired early has heard that others were receiving "golden handshake"	Discontinued (Client)
64-189	Complaint against insurance company	Assistance Rendered

DEPARTMENT: PROVINCIAL HOSPITALS

Number	Summary of Complaints	Result
68-1	Complainant wants to have her son transferred to another hospital for operation	Assistance Rendered
68-2	Alleges written promise guaranteeing her a job after a year's leave of absence has not been fulfilled	Unsupported

DEPARTMENT: PROVINCIAL SECRETARY

Number	Summary of Complaints	Result
70-1	Complaint he cannot get list of all recently formed companies from Registry of Joint Stock Companies	Assistance Rendered

DEPARTMENT: PUBLIC UTILITIES, BOARD OF COMMISSIONERS OF

Number	Summary of Complaints	Result
72-1	Alleges unfair actions by Public Utilities Board	Discontinued (Client)
72-2	Concerns about City of Halifax's application to annex lands which would include a portion of the Beechville community	Resolved
72-3	Feels he is being delayed unduly re application for license to haul heavy machinery	Assistance Rendered
72-4	Complaint regarding conduct of a salvage yard inspector	Discontinued (Client)

DEPARTMENT: PUBLIC WORKS, DEPARTMENT OF

Number	Summary of Complaints	Result
74-1	Outstanding bills with Province	Resolved
74-2	Complaint he was not re-hired while others with less seniority were re-hired	Discontinued (Client)

DEPARTMENT: SOCIAL SERVICES, DEPARTMENT OF

Number	Summary of Complaints	Result
80-1	Difficulties concerning adoption of children	Discontinued (Client)
80-2	Alleged on-going difficulties with department	Discontinued (Client)
80-3	Requesting assistance to obtain information from a government department	Assistance Rendered
80-4	Seeking our assistance to find out why he was ineligible for benefits	Assistance Rendered
80-5	Alleges family court officer is making no effort to have her ex-husband pay monthly support	Discontinued (Client)
80-6	Feels she should qualify for	

	family benefit drug coverage program, although she has been told she is not eligible	Assistance Rendered
80-7	Feels she should continue to be covered on family benefit drug program	Unsupported
80-8	Complaint she has been turned down financial assistance for medication costs	Discontinued (Ombudsman)
80-9	Seeking help to obtain clarification on the apprehension of her grandchildren	Assistance Rendered
80-10	Alleges department requested certain documentation in order to receive cheque; when this information was presented, she was denied benefits	Resolved
80-11	Alleges department will not purchase a machine to monitor his need for insulin	Discontinued (Client)
80-12	Gentleman having difficulty getting a photocopy of adoption consent form which he cannot remember signing in 1952	Resolved
80-13	Has some concerns over reduction of family benefits	Discontinued (Client)
80-14	Complainant feels retroactive billing should be stopped in home of special care for the aged	Assistance Rendered
80-15	Alleges his family has been treated unfairly by a social worker	Unsupported
80-16	Feels Family Benefits Act should not restrict men from receiving benefits as a single parent	Discontinued (Ombudsman)
80-17	Widow on Family Benefits complaining at great length about her accommodations and lack of job	Assistance Rendered
80-18	Alleges rehabilitation worker is not working in his best interests	Discontinued (Client)
80-19	Complaint that when home	

	study was completed they were turned down re adoption of children	Discontinued (Ombudsman)
80-20	Complainant concerned over news item stating a mentally handicapped patient was working in institution for 43¢ an hour	Unsupported
80-21	Foster parent asking for "restitution"	Assistance Rendered
80-22	Complaint he has been removed from cash welfare and placed on voucher system	Declined
80-23	Complaint that $93.00 has been deducted from both hers and her husband's Family Benefits cheque	Assistance Rendered
80-24	Alleges Department of Social Services "squeezing" him out of nursing home business	Discontinued (Client)
80-25	Alleges unfair action by social worker of child caring agency	Assistance Rendered
80-26	Alleges department will not take action against his wife who is defrauding the Family Benefit section	Unsupported
80-27	Concerns expressed by British Columbia resident who is moving to Nova Scotia re adoption of child	Discontinued (Ombudsman)
80-28	Complaint that Social Services Department is not taking action against his neighbour who he alleges is defrauding the department	Unsupported
80-29	Complaint her children have been apprehended by the Children's Aid Society	Declined
80-30	Complaint his daughter cannot get her children back from custody of Children's Aid Society	Declined
80-31	Complaint Family Benefits cheques have been "held" because she had a part-time job	Resolved

80-32	Nursing home resident feels there should be a reduction in per diem rate when patient is admitted into hospital	Unsupported
80-33	Feels he should receive special assistance to help pay his oil bills	Assistance Rendered
80-34	Complainant can no longer "make ends meet" on monthly Family Benefits	Assistance Rendered
80-35	Feels department is preventing him from seeing his file in contravention of the Freedom of Information Act	Resolved
80-36	Complaint she is being denied re-admittance to senior citizen housing because of past record of not obeying rules	Discontinued (Ombudsman)
80-37	Complaint department will not divulge whether or not his estranged wife receives social assistance	Declined
80-38	Alleges he is experiencing difficulties in obtaining social assistance benefits	Assistance Rendered
80-39	Alleges budget figures given at his appeal hearing were incorrect	Declined
80-40	Feels Children's Aid Society should not investigate complaints that they receive anonymously	Assistance Rendered
80-41	Alleges Family Benefits disability allowance being reduced for no good reason	Unsupported
80-42	Complaint department will not disclose whereabouts of his sister who was adopted more than fifteen years ago; will not disclose who the adoptive parents were	Assistance Rendered
80-43	Complaint she was not given reason for termination of services as foster parent	Partially Resolved

80-44	Epileptic person's complaint Department of Social Services will not pay his medication costs	Assistance Rendered
80-45	Complaint her Family Benefits allowance is going to be stopped because her son refuses to attend school	Assistance Rendered
80-46	Letters to girlfriend being intercepted by Children's Aid Society supervisor who refuses to pass them on	Declined
80-47	Person with bad nerves having difficulty getting disability benefits	Assistance Rendered

DEPARTMENT: TOURISM, DEPARTMENT OF

Number	Summary of Complaints	Result
82-1	Complaint he is unable to obtain employment at Sherbrooke Village or Liscombe Lodge	Declined
82-2	Feels arrangements for Old Home Summer Program are not being organized properly	Assistance Rendered
82-3	Alleges government department did not honour their agreement	Unsupported

DEPARTMENT: TRANSPORTATION, DEPARTMENT OF

Number	Summary of Complaints	Result
84-1	Feels he should have been reimbursed for expropriation of his property	Assistance Rendered
84-2	Alleges department has caused flooding to her property	Unsupported
84-3	Claims faulty culvert is extensively flooding and damaging his property	Unsupported
84-4	Complaint he was not hired for road work as promised	Declined
84-5	Complaint that his trucks are being hired by department only oc-	

	casionally while certain other ones are being hired continuously	Discontinued (Client)
84-6	Wants compensation for topsoil used without her permission	Unsupported
84-7	Feels he should be eligible for a conditional driver's license	Declined
84-8	Department refuses to accept his advance payment for culvert, as cost may be going up soon	Assistance Rendered
84-9	Feels department's offer of monetary compensation not adequate	Declined
84-10	Seeking assistance to have an unlisted highway, which leads to a government wharf, upgraded	Assistance Rendered
84-11	Drainage and erosion problem	Assistance Rendered
84-12	Alleges unfair treatment because department deeded to neighbour land which he felt should have been deeded to him	Unsupported
84-13	Complaint relating to issuance of "conditional" licence	Resolved
84-14	Feels the department is treating him unfairly	Assistance Rendered
84-15	Feels department should pave her driveway; expropriation had forced her out of original home	Discontinued (Ombudsman)
84-16	Feels there should be major changes to the Motor Vehicle Inspection Program	Discontinued (Ombudsman)
84-17	Complaint concerning the issuance of license plates for disabled people	Assistance Rendered
84-18	Difficulties involving property utilized for building of road to wharf	Unsupported
84-19	Request for assistance in getting an interview with Minister re restoration of driver's license	Assistance Rendered
84-20	Feels department should permit him to install a culvert within their right-of-way	Resolved
84-21	Feels department should take	

	responsibility for alleged accident between snowplow and car	Discontinued (Ombudsman)
84-22	Feels he should be given a "conditional" license	Unsupported
84-23	Feels he received harsh treatment re suspension of driver's license	Assistance Rendered
84-24	Alleges flooding problem is result of construction of new highway near his land; request that land be returned to its former state	Unsupported
84-25	Feels weight scale attendant is harassing him thus hindering his business	Unsupported
84-26	Feels he is being treated unfairly by the Motor Vehicle Department	Unsupported
84-27	Complaint that Registry of Motor Vehicles recorded an accident on his file that was not his fault; complaint that vehicle permits can be issued without any proof of safety check	Assistance Rendered
84-28	Feels she is being treated unfairly by Department of Transportation	Under Investigation
84-29	Complainant does not want to give up property	Unsupported
84-30	Requesting our assistance to obtain a refund	Resolved

DEPARTMENT: WORKERS' COMPENSATION BOARD

Number	Summary of Complaints	Result
90-1	Worker alleges no report filed by employer	Assistance Rendered
90-2	Seeking assistance to determine reason he was denied benefits	Assistance Rendered
90-3	Delay in compensation claim	Discontinued (Ombudsman)
90-4	Alleges benefits were ter-	

	minated for non-valid reasons	Assistance Rendered
90-5	Injured worker would like our office to help him get a "lump sum" settlement	Unsupported
90-6	Enquiry as to whether he can receive assistance towards costs of medication	Assistance Rendered
90-7	Alleges he is still unable to work and should have benefits continued	Discontinued (Ombudsman)
90-8	Seeking assistance to be paid lump sum payment for injury	Unsupported
90-9	Wishes to have compensation claim reviewed	Assistance Rendered
90-10	Complainant disagrees with decision of Board	Unsupported
90-11	Feels their small business (two employees) should not be required to pay premiums under Workers' Compensation Act as they feel they will not benefit from the plan	Discontinued (Ombudsman)
90-12	Dissatisfied with compensation claim and feels his percentage of disability and compensation payments should be revised retroactive to 51 years ago	Declined
90-13	Feels he should be receiving further compensation from board	Assistance Rendered
90-14	Feels he should be entitled to more compensation	Assistance Rendered
90-15	Due to the nature of his job, worker pays workers' compensation premiums to both Nova Scotia and Ontario: is this in order?	Under Investigation
90-16	Wants Workers' Compensation benefits increased	Declined
90-17	Seeking assistance to have the "pre-existing condition" section removed from the Act	Declined
90-18	Feels his compensation benefits should not be terminated	Assistance Rendered

90-19	Feels he should be reimbursed for thirteen month period when he was "cut-off"	Assistance Rendered
90-20	Numerous complaints re benefits	Assistance Rendered
90-21	Feels he is unable to return to work yet Workers' Compensation Board has closed his claim	Assistance Rendered
90-22	Does not feel husband's degree of disability is being adequately compensated for	Resolved
90-23	Complaint no further benefits will be issued to him	Discontinued (Client)
90-24	Complaint that benefits have been terminated	Discontinued (Ombudsman)
90-25	Complaint that benefits have been terminated after receiving same almost continuously since 1977	Discontinued (Ombudsman)
90-26	Complaint that Board is putting-off giving a decision re her termination of benefits	Unsupported
90-27	Termination of compensation benefits	Assistance Rendered
90-28	Complaint concerning termination of benefits	Discontinued (Ombudsman)
90-29	Difficulties re filing for compensation claim	Assistance Rendered
90-30	Feels it is taking too long to reach a decision re his pension	Resolved
90-31	Feels it is taking an extremely long time to process his claim for a pension under the "automatic assumption" section of the Workers' Compensation Act	Partially Resolved
90-32	Complainant nervous that his witness will not testify at hearing	Assistance Rendered
90-33	Feels his wife should receive lump sum payment from Workers' Compensation Board	Unsupported
90-34	Feels he is not receiving adequate benefits from Workers'	

	Compensation Board	Assistance Rendered
90-35	Feels he should be receiving a higher percentage for disability	Unsupported
90-36	Termination of workers' compensation benefits	Assistance Rendered
90-37	Concerns re length of time it is taking to process her claim for benefits	Resolved
90-38	Feels his compensation benefits are being reduced unfairly	Under Investigation
90-39	Feels he should be reimbursed for travelling expenses for visits to his doctor	Resolved
90-40	Alleges she is being unfairly treated	Assistance Rendered

DEPARTMENT: WORKERS' COMPENSATION APPEAL BOARD

Number	Summary of Complaints	Result
92-1	Alleges Appeal Board did not advise him of their decision re his appeal	Assistance Rendered
92-2	Feels Appeal Board should have wider jurisdiction to hear cases prior to mid-seventies	Unsupported
92-3	Complaint Appeal Board is not proceeding with his appeal	Resolved

COMPLAINTS BY CATEGORY

Total Number of Complaints for Year Ended December 31, 1982 1010

Formal Complaints 712
Informal Complaints 298

Formal Complaints closed as follows:

Resolved 65
Partially Resolved 11
Assistance Rendered 318
Discontinued (Ombudsman) 56
Discontinued (Client) 52
Declined 93
Unsupported 94
Recommendation 1
Under Investigation 22

Disposition of Outstanding Complaints

As well as one complaint from 1979, two complaints from 1980, there were twenty-two complaints still under investigation as of December 31, 1981. These were disposed of in the following way:

Resolved 4
Partially Resolved 2
Assistance Rendered 9
Discontinued (Ombudsman) 5
Discontinued (Client) 3
Unsupported 2

ANNEX
SPECIAL REPORT
OF THE
RETIRING OMBUDSMAN
January 1, 1982 to June 30, 1982

15 July, 1982

The Honourable Arthur R. Donahoe, Q.C.,
Speaker,
House of Assembly,
Province of Nova Scotia.

Dear Mr. Speaker:

Having been appointed Special Consultant to the Office of the Ombudsman, by Order-in-Council, dated 5 January, 1982, and having been requested by the Premier, to undertake some travel and to submit a final Report, it is now my privilege to submit this Report to you, with its comments and recommendations for the Legislative Assembly.

Respectfully,

H.D. Smith

Dr. H.D. Smith,
Special Consultant,
Office of the Ombudsman

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FOREWORD

It has been a great honour for me to have had the unique opportunity to serve my Province as Nova Scotia's first Ombudsman, from 1971 to 1 January, 1982. As designated Special Consultant to my successor, Mr. William Campbell, until 30 June, 1982, it is now my duty to make observations on the Office, based upon travels and comparisons with Ombudsmen in other parts of Canada and the world. I trust that my remarks will prove to be helpful to Members of Legislature, in their appraisal of the values of the Office of Ombudsman, and in their determination of ways by which the role and function of the Ombudsman may be enhanced.

HISTORICAL BACKGROUND

For the purpose of focusing attention on how previous Legislatures regarded the concept of Ombudsman, I should recall that, as far back as 1964, a Select Committee of Legislature was appointed in Nova Scotia to consider whether an Ombudsman was required or desirable. The Committee recommended against the appointment of an Ombudsman at that time.

In February of 1969, a Resolution was moved by the Progressive Conservative Premier, and seconded by the Attorney General, that a Select Committee of the House be appointed for the same purpose as that cited above. Furthermore, if such a non-partisan official were to be approved, with what powers would he or she be invested?

Public hearings were held; individuals and organizations from all over the province were heard from; indeed, contributions to the study were made by the Ombudsmen of Alberta and New Brunswick, as well as by academics, one of whom is now Ombudsman for British Columbia. For the most part, the various submissions favoured an appointment, whilst those who were still against had been associated with the 1964 Special Committee.

Pertinent points that were made in the 1969 hearings were as follows: "The Ombudsman investigates complaints impartially, informally, inexpensively and speedily". "He relies for the effectiveness of his recommendations, on the persuasiveness of his reasoning, on the authority he enjoys with administrators and on legislative and public opinion". "The Ombudsman should be an independent, non-partisan Officer of the House of the Assembly".

In spite of the Committee's "feeling that an Ombudsman would take over many functions now being performed by MLAs, with a consequent downgrading, at least, in this area of his responsibilities, of the functions of an MLA, this does not appear to be happening in jurisdictions which now have an Ombudsman". The Committee Report goes on to say: "Our opinion is that not only would the general public find the office of Ombudsman of value, but the MLA would as well".

The Ombudsman for New Brunswick reported receiving a great number of complaints where the Ombudsman had no jurisdiction (federal matters, private business, the courts). Notwithstanding, he provided a most welcome service in giving direction and information to the complainant.

It appears that there were, in 1969 at least, politicians on the Select Committee who "argued that the whole concept of the Office of Ombudsman is repugnant to the democratic process, that while members of the Executive Council are responsible to the Legislature and MLAs to the Electorate, an Ombudsman is responsible politically to no one". To the last quotation, I hasten to add: of course not!

Notwithstanding the fact that the Select Committee learned that there were no major confrontations between the Ombudsman and the Executive in those provinces in which there was an Ombudsman, and notwithstanding the recommendation by the Committee that the appointment of an Ombudsman was desirable, there was no move politically until the then Leader of the Opposition, whose Liberal Party had but few seats in the House, brought forth the promise of an Ombudsman as one of the planks in his election platform, 1970.

The Opposition became the Government, and in due time, following consistent prodding by the New Democratic Party, Nova Scotia's first Ombudsman was appointed, effective 27 April, 1971. So, the idea of having an Ombudsman was a convenient political platform plank, used by the Liberals. On the other side, the Progressive Conservatives had already turned the thought aside. One is left wondering about the empathy and depth of feeling among politicians of the institution of such a new Office.

It was so new that nobody seemed to be giving any thought to a swearing-in, so, I contacted the Speaker and went to his office,

where the function was performed without the ceremony that I have since witnessed elsewhere. Moreover, when time was approaching for the opening of the House of Assembly, I noticed that no invitation was forthcoming for me, an Officer of the same House. I brought that to the attention of the appropriate person and a place in the Gallery was allocated. The necessity for a certain amount of self-promotion I attributed simply to lack of knowledge of my Office. I understood that, and was not upset. The disappointments came when there appeared to be nobody assigned to take charge of helping a newly-appointed official to settle in and get organized in a setting that was completely different to what one finds outside government.

ASSUMING OFFICE

Everyone is free to say what qualifications an Ombudsman should have. There are no criteria laid down anywhere. Historically, 1809, in Sweden where the Office was born, and then in Finland, 1914, the Ombudsman would likely be a distinguished jurist, but that precedent was not followed in Canada, where the first Ombudsman (in Alberta, 1967) had been Commissioner of the R.C.M.P., whilst the second Canadian appointee (in New Brunswick, 1968) was well known as a United Church clergyman and a former university president.

Although no specific qualifications are laid down for the Ombudsman, relative to his or her qualities and the independence of the office, it is generally accepted, world-wide, that "the Ombudsman should command the respect and confidence of all sections of the community, especially members of Parliament (*Legislature), administrative authorities, law courts and the press. To this end, he (*or she) must possess qualities of impartiality, of discernment, of tolerance, and have an intimate knowledge of the administration and personalities of the country (*province)." In the practice of independence of action the Ombudsman takes instructions from no one but the instrument that creates him or her, and to which he or she reports annually, that is to say the Legislature, through the Speaker.

My credentials showed that I was an academic, one who had studied at universities at home and abroad for eight or nine years,

* The brackets are those of the writer. The quotation is from the Constitutional Commission of Ghana.

earning degrees, and then professing French for twenty years. I was a volunteer Naval Officer during the World War II, and a peace time reserve officer for another ten years. The military slant to my background is emphasized by my ten years as a professorial department head at one of Canada's three military colleges. During the accurately defined "radical 60s", I was the first Nova Scotian president of Canada's oldest university (King's College, 1789). I had never worked for any political party, and could be viewed as being non-partisan.

Whatever all of the above may have prepared me for, I was left uninformed about things governmental and how government works. I must confess to a certain naiveté in dealing with politicians, which I shall describe below. (My broad view today is that life is one great preparatory and learning experience.)

In my first encounter with members of the Treasury Board, I was asked what size staff I needed. Frankly, I told them that I did not know, and that I should have no idea of how many complaints would reach my desk daily or weekly. I could have requested a dozen, in the hope that I would be granted a half dozen. I inherited an excellent secretary (formerly secretary to our present Premier), and was endeavouring to study the many applications for the post of Assistant to the Ombudsman. It was agreed (verbally, Alas!) that I should sing out when I required extra help, following my interjection that a sudden workload could cause me to press the panic button. My trust in a few key members of the government of the day, and my assumption that they would want to render every reasonable assistance in launching a new office, bore no similarity to the way the situation evolved.

It did not take long for correspondence to build up, and for the workload to increase dramatically. With Secretary and Assistant in place, I saw the need of an Investigator and a second secretary. I pressed the panic button, as anticipated, and I thought agreed upon. But, again I say Alas!...there was a short circuit. The call either did not reach its intended destination or it fell on ears which chose to ignore it. The government had fulfilled its election promise. I was on my own to fend for myself.

THE NATURE OF THE JOB

It did not take long to realize that most complaints could be dealt with expeditiously. If there was a problem about my having jurisdic-

tion to investigate, I would consult my legal counsel, from outside government. For the most part, we bore ahead, looking for possible maladministration by government departments and agencies, provincial and municipal. Incidentally, Nova Scotia was the first province in Canada to open the Ombudsman office to municipal complaints. New Brunswick assumed similar responsibilities a couple of years later.

In seeking out possible negligence, poor communications, clerical error, lack of simple human justice for the complainant, we usually address ourselves to the Deputy-Minister, with a copy of correspondence going to the Minister. Many times we contact other senior officials, or heads of Departments. Everyone has always been most courteous in permitting me to see the files on any case.

It soon became apparent that, even if I had not been without political partisanship, the nature of my work itself rules out the possibility of doing special favours for the friend of a political colleague: to take but one example, there is no way that one can recommend a higher teacher license than what is allowed under the regulations. In looking for maladministration of the law, one must at the same time respect and obey the law. I make mention of that aspect of the work, knowing that in Newfoundland the first Ombudsman chosen had been an active politician. Following a minor dust storm at the time of his appointment, he was able to settle in and do a fine job. Similarly, in Nova Scotia, my successor was chosen from among the politicians. I dare hope that this circumstance will allow him easier access to his political friends in giving to the position of Ombudsman a thrust from the top, and a recognition by politicians of the value of the Office, something in which they can take pride, knowing that the Ombudsman is himself an Officer of the Legislature, one with whom they should be able to work, in cross referrals, aware that the Ombudsman is not part of policy-making or decision-making, but one whose work is at a different level than that of the politician, all working for the good of the citizenry. If that sounds idealistic, and not in tune with the thinking of the politician, so be it. I remain optimistic.

I was not long into my work as Ombudsman, when I received a call from a spokesman of the New Democratic Party, and two other intelligent and concerned gentlemen, whom I could describe at the time as concerned activated people, one of whom represented Civil Liberties, the other being a clergyman. Sensing that they were "coming on strong", I called my legal counsel to join in the discus-

sion which would take place within the hour. Knowing that I was not the panacea, the knight on the white stallion, or any other cure-all for the ills which beset society, I was rather taken aback by the three aggressive and articulate gentlemen, who proceeded to tell me what I, as Ombudsman, should be: the N.D.P. representative said, very clearly, that my job was "to be a constant thorn in the side of government". I protested then, as I protest today, and reply that that is the responsibility of the opposition parties in Legislature. The New Democratic Party must envisage a different role for the ombudsman than that which is encompassed in the Ombudsman Act because I seem to recall the same "thorn in the side of government", echoes in Ontario, by the leader of the same political persuasion, and again in Nova Scotia later on. Politics encircle and affect the lives of all of us, but the Ombudsman, a non-elected official, is not part of political gamesmanship, if that is what it is.

In more than ten years at the post, I daresay that I must have indeed disappointed those people who expected me to challenge the policies and decisions of government. One recalls that the first Ombudsman for Ontario apparently wanted to give his own broader scope to the Ombudsman Act, when he tangled with government over amounts of expropriation monies which should be reimbursed to some home owners at the proposed Pickering airport site. He resigned after three years of a ten year appointment. Rather similarly, the Ombudsman for British Columbia seems to want to give a wider interpretation to the Act than do the rest of us across Canada, the result being that he has created a great amount of publicity and controversy around his position as Ombudsman, in which he has made a great impact upon his province, those who govern and those who are governed. Each of the two individuals referred to above possesses a distinctive personality, and has his own thoughts on how the Ombudsman should operate. Moreover, each is very attractive to the media, which thrive on infighting with government.

I believe it is fair to say that Ombudsmen generally, interpreting the Ombudsman Act, are not persuaded or inclined to become involved in executive areas of government, where policy making is done and where decisions are taken, unless in the process there is evidence of maladministration of the law. Can the reader imagine any Legislature giving powers to the Ombudsman to look into executive areas of government? I cannot. In the nine Canadian provinces that have an ombudsman, the Acts which govern his functions are essentially similar in content, with respect to his powers.

No, I seldom made good copy for the newspapers, and can readily understand why a journalist might refer to my performance as lacklustre. I am confident, however, that my office rendered worthwhile assistance to thousands of people, within the terms of the Ombudsman Act, and especially within the framework of a very small staff of five, including myself. I should suggest that if my successors are reform-minded, and are keen to investigate something on their own motion, such as mental hospitals, nursing homes, etc., they will require much more personnel.

I have already mentioned my difficulties with staffing the office, under the same administration that I should have thought could have derived political advantage by its decision to provide the services of an Ombudsman, a concept which has spread, during my tenure, threefold among nations, states and cities, especially where a form of parliamentary democracy exists. In the 1970s I grew weary of hearing myself complain, and seeing my plaintive appeals for staff published in my annual reports to Legislature. On television I described graphically that office space for my investigator did not permit room for both man and wife simultaneously to air their complaint. Finally, by going over the head of the only deputy-minister who, by stubbornly following bureaucratic ruts, declined to help me, I wrote, in French, to the appropriate Minister of what was then known as Public Works, and was given comfortable and excellent accommodation in Suite 1100 of the Royal Bank Building in Halifax. The struggle was worthwhile in the end; but, I ask myself why there was the necessity to struggle?

PUBLIC RELATIONS AND PUBLICITY

The word Ombudsman, being of Swedish origin, could not be located in most of the best known dictionaries, including the Oxford, when I assumed my duties in 1971. Random House was the first, and it says that he or she is "a public official appointed to hear and investigate complaints by private citizens against government officials or agencies". In France, he is known as le Médiateur, and I believe that Mediator, someone between the public and the government, is a good way of expressing the word in English. A go-between, if you will, but an officer of the Legislature, of which he is at the same time a servant.

How does one tell the public of such a new concept as that of the Ombudsman? I took advantage of the kind offer of the Maritime Tel and Tel to carry, without charge to my office except the printing,

an insert in a monthly billing, which would reach about 325,000 telephone users. In addition, we found countless outlets for other informative and colorful folders. I was asked to do public speaking, to address societies, clubs, associations, schools, in various parts of the province. I responded affirmatively to all of the invitations, and had the pleasure of addressing more groups and societies than I knew existed. Those pleasant duties continued through my more than ten years in office.

Publicity is a constant struggle, however, and it is difficult to reach the majority. When some citizens were at the stage of spelling the word as "Omnibusman", I was greatly assisted by free advertising through the CBC programme known as "Ombudsman". Only those people with discernment beyond average measure realized that the little fellow on TV, a quick witted criminal lawyer and television producer, was not in fact an ombudsman, but the programme simply bore that title, which would thrive so long as the ratings remained high. Otherwise it would be dropped from the air, which is what subsequently happened shortly after the appointment of the lawyer's successor.

Many favourable comments were made by the public during the course of the several years of CBC's "Ombudsman", in spite of the fact that the so-called Ombudsman drew up his own mandate and was not responsible to any legislature or parliament. Moreover, he created some confusion among complainants and bona fide ombudsmen when his office was looking into cases which we were already investigating. Of course, some of his popularity sprang from the fact that he could investigate anything, including disputes of a private nature, alleged injustice from businesses and complaints against federal jurisdiction. The latter constantly reminded me and my colleagues across Canada of the desirability of having a federal ombudsman.

When the public no longer saw the programme CBC Ombudsman, I could feel a reduction in the number of complaints to my office. In an effort to fill the gap, I organized intermittent travels for myself, my Assistant and Investigator to various parts of the province. Radio stations and newspapers in the designated areas were given the advertising on when and where somebody from my office would be available to hear complaints against government departments and agencies, provincial and municipal. That is to say the *administration* of government departments and agencies. We were surprised, even shocked, to learn that within the Executive Council

there was objection to our soliciting inquiries and complaints. I continued the practice however, within the means and physical capabilities of such a small staff. A principal reason for this apparent solicitation of business was to bring my office, albeit infrequently, to principal towns outside the metropolitan area, from which flows, quite understandably, the great percentage of complaints.

I am well aware that advertising the office is a constant problem. Through the courtesy and cooperation of the President of Maritime Tel and Tel, I was given the opportunity of repeating the distribution, after a break of eight or nine years, of inserts in the many thousands of telephone billings, granted as a public service by the Company. That was to have been done in the month of February, 1982; however, the arrangement with the company was cancelled because of budgetary restrictions, and the elevated costs of printing the folders.

So, I should think that publicity will continue to be a problem. How should the office acquaint the public with the role and function of the Ombudsman? It is to be hoped that my successor in office will have new ideas and approaches. I wish for him every success in this difficult task of familiarizing people with the advantages of the Ombudsman Office.

RELATIONS OUTSIDE THE PROVINCE

The first conference of Canadian Ombudsmen was held in September, 1973, in Ottawa, and was hosted by the Commissioner of Official Languages, who regarded himself as a Linguistic Ombudsman. There was a fruitful exchange of thoughts and ideas, and we all expressed the desire to meet again the following year. The Investigator for Federal penitentiaries considered herself to be a Correctional Ombudsman, and she cordially invited us to Ottawa in 1974, where, again, we learned that many of the problems presented to us had a common denominator. We discussed means and methods of dealing with cases, and it was obvious that a fraternal bond of friendship and professionalism was growing among us.

Rather than leave the federal authorities to continue to host a conference of provincial ombudsmen, I extended an invitation to the delegates, ombudsmen and assistants, to come to Nova Scotia in 1975. A name which I was anxious to add to the list of invitees was Dr. Bernard Frank, of Pennsylvania, a lawyer whom none of us had

thereto seen, but who had been publishing and distributing, at his own expense, a quarterly news bulletin which reflected what was happening among ombudsmen throughout the world. It was a hobby with him, and a few years ago he turned over his cherished archives to the International Ombudsman Institute, the Law Centre, University of Alberta. Invitations were also extended to two new appointees: the first Ombudsman of Alaska and the first Ombudsman of Ontario. All three were ceaseless in their thanks and appreciation for the hospitality extended by Nova Scotia.

We enjoyed an excellent conference: following business sessions at Chateau Halifax, we did the cruise of the harbour and the Northwest Arm; another day, after work, we went to Peggy's Cove and to Hubbards for lobster. Some of the delegates are still talking of the delicious lobster feed. I had, of course, reminded the Premier of the day about the conference and the distinguished visitors, and requested that he and designated members of Cabinet meet with us. There was no government official at any of our deliberations, but the Premier arranged for a Minister, who lived nearby, to attend the lobster dinner for which the Province was "picking up the tab". The lack of interest was evident. The politicians had their own busy political lives to attend to and it was obvious that a place could not be found in their activity for the Ombudsman. In succeeding years, at our national conferences, Ombudsmen ensured that not only government be represented, but the leaders of Opposition parties as well. Whole-hearted and enthusiastic support from the Government of Nova Scotia seemed not to reveal itself from the start, and still has no roots in government today, when one recalls that the Party presently in power did not initiate the Office, and may be said to suffer it by inheritance.

I am confident that my successor, a former politician, will do a great deal to win support for the Office from his former colleagues. He will surely get much closer to them, whom he knows on a first name basis. He will have the opportunity to be considered as one of them, a politician among politicians, even though his work is apolitical. When the chips are down, we have seen how politicians disregard party lines and quickly establish their own fraternity, with all of the attendant self-protection and identity as a species, which one finds in all groups and societies. To conclude in the present view, I daresay that if my worthy successor were to request ten or fifteen minutes with Cabinet, to review the role and function of the Ombudsman office, as I requested with the present Premier, the request would be granted. In my case it was not. There was no refusal,

but, nothing happened. It seems strange. I had a friendly personal relationship with the Premier, as I had with his predecessor. There was never a clash with any Minister, nothing but cooperation from every Department whilst investigating a complaint, but never the feeling that my officer merited any place on the priority scale among the MLAs. Always a pervading sensation of jealousy or resentment, or something which the reader may be better able to judge if he or she were to read Hansard (Spring Session, 1981).

Throughout my more than ten years on the job I enjoyed it immensely, meeting so many people, and endeavouring to help them. If one word could describe our office, it would be the word help. The former Chief Ombudsman for Sweden told me that his country, pioneer of the Ombudsman 1809, learned something from Canada in that regard. In Sweden over many decades, until relatively recent times, the Ombudsman tended to assume the role of prosecutor, rather than helper. He would look for mistakes among civil servants and land upon them when they were in error. In our practice, in our daily dealings with Deputy-Ministers and Heads of Departments, we did not oversee the work or the struggles of civil servants, whose negligence or errors, if there were any, had already surfaced and been corrected by the time the Ombudsman appeared on the scene. For the most part, when there was negligence, steps were taken at a relatively high level of officialdom to put things right.

Rapport with my colleagues across Canada, and around the world, has always been of the highest order, and that is why it was always so uplifting and exhilarating to get away, to preach the gospel according to the Ombudsman, and to heighten my enthusiasm for a concept in which I so fervently believe. Apparently I left sufficient imprint upon my co-workers to be chosen a member of the Steering Committee for the first International Conference of Ombudsmen, held in Edmonton, Alberta, in 1976. At that world congress, it was agreed that it would be a good thing to meet internationally every four years. It was a further great honour for me to be named to the Steering Committee for the Second International Conference in Jerusalem, 1980, a most memorable event in my career, where the Ombudsmen in attendance represented 250 million of the world's people.

Previous to the world conference in Israel, it was my privilege to meet with six or seven other members of the steering committee, and to have an audience with President Navon, who initiated a memorable exchange of views in the small group gathered in the

presidential palace. A further unforgettable experience was to meet Mayor Teddy Kollek of Jerusalem, when he invited the same small group to meet him, and to discuss matters of concern to us all, with particular reference to Jerusalem. When approximately sixty ombudsmen, plus academics and observers gathered in Israel in October, 1980, for the second world conference, Prime Minister Begin was the presiding politician at the opening ceremonies.

I shall remember these outstanding events abroad for the rest of my life: I am thankful to my province for permitting me to be Nova Scotia's representative, and I dare trust that these cultural and political exchanges on a global scale help the participant to become a more understanding ombudsman, given the enrichment that flows from contact with other peoples.

At home I did my work in a quiet way, getting all the information I needed through the cooperation of Deputy-Ministers and Department Heads, without interference from politicians. Feeling of accomplishment came regularly each year, when I was out of the province, and in a position to compare our performance with that of the other provinces and states. It is true that, at home, we would frequently receive letters of thanks for either helping to rectify a comlaint, or doing whatever was humanly possible to point the grievor in a positive direction. As far as the politician was concerned, however, one generally had the sensation (I should like to believe myself wrong) that he regarded my office as a place where points were awarded by constituents, points which rightly belonged to the MLA. The latter need have no worry; whenever an investigation was initiated by a House Member, we always referred to him in correspondence. Our lives did not depend upon the vicissitudes of politics, and we were happy to give credit where credit was due.

During my ten years in office, I experienced a couple of very interesting trips overseas. I have already written above of my participation and planning of the second world conference in Jerusalem. In 1973 I was invited to the Port of Rotterdam, where I was guest of the City for several days, under the auspices of the Burgomeister (the Mayor). I was asked to address a full meeting of City Council, for the purpose of explaining the municipal jurisdiction which I exercised under the Ombudsman Act. Rotterdam Council was considering the possible advantages of having an Ombudsman. Following my address, pertinent questions were posed by individuals representing the many political parties in attendance. The deliberations were published in Dutch and English. I felt

honoured, not only for myself, but for my province. Later, in 1976, Rotterdam appointed an Ombudsman, and the office is now a busy one; so, it is accepted that Nova Scotia played a role in that evolutionary process. Later still, in 1978, a municipal ombudsman was appointed in the Hague, and within the past year, a national ombudsman has been installed in the same capital city. So, one might say that "coverage" of that small country is quite complete. Canada has the greatest number of ombudsmen, but one province (Prince Edward Island) has not; nor do we have a national figure on the ombudsman scene. Australia has the most complete coverage of all; each state with its own ombudsman, as well as one appointed on the national level.

Recently, in the early spring of 1982, I was invited to be a participating delegate at a Seminar in South Africa, a request having come from the Association of Law Societies of the Republic of South Africa, to the Ombudsman Forum of the International Bar Association. The Chairman of the Ombudsman Forum, and therefore of the Seminar, is legal counsel to the Ombudsman of Alberta. That seminar testifies to the fact that we are keen to promote the Ombudsman concept throughout the world.

The keynote address to the Seminar was prepared by the Ombudsman for Alberta, the Reverend Dr. Randall Ivany, and, due to the latter having to undergo surgery, his remarks were read by the solicitor of the office, and co-chairman of the seminar, Alex B. Weir.

Dr. Ivany echoed the thoughts that have been reflected in my annual reports since 1971, in which the reader will note that the office of ombudsman has essentially the same goals as that which prevail in Alberta and elsewhere in Canada, but not everywhere in Europe: availability, flexibility and humanization, that is to say our concern for people, with their fears, emotions and hopes, and our availability at all time to meet them.

Almost one hundred lawyers and academics, from all parts of South Africa, voiced their agreement with the Ombudsman concept, and are now studying ways by which the very difficult preconditions may be met in that country, before a proposal is put to government. One must start somewhere, and, at the request of their own legal society, the Ombudsman Forum of the International Bar Association (Chairman Alex B. Weir) gave the thrust to what will be a long term project in South Africa.

OTHER COMPARISONS

In our annual meetings at national ombudsman conferences, and in our more than infrequent contacts with our counterparts around the world, we have learned that essentially we are all doing similar work. Admittedly, in Sweden, for example, one can challenge the courts, which have been ruled out of bounds in Canada; it is true that in France, for example and in England, a complainant does not have direct personal entry to the Ombudsman, as is the practice in Canada, but must proceed via a member of parliament. Nevertheless, we have quite strikingly similar roles to play. I shall never forget the enthusiasm voiced by the Ombudsman for the city of Zurich, when he discovered that many of the complaints brought to my office were similar to those which confronted him. Similarly, with the Ombudsman for Rheinland-Palatanate, in West Germany. The revelation that there were striking similarities in our tasks, greatly relieved a feeling of loneliness in my colleagues, who sometimes felt as though they are working in a vacuum, until given the opportunity of meeting their counterparts in other areas of the world, or in the exchange of annual reports.

It was not until my tenth year in office when I thought that maybe a great difference between other offices and my own should be made known to the public. The reason, of course, for the ten year delay in going public over a sensitive issue was that this particular item centered on the salary and emoluments of the office holder. To approach the subject could be termed crass and mercenary, but I did not view the great discrepancies between Nova Scotia and the other provinces in that light. Differences in stipend usually ran between forty and ninety percent, in addition to the fact that our province had no built-in superannuation provisions as did the others. In any listing, somebody must be at the bottom, but my thought was that the proud people of this province would not enjoy knowing that Nova Scotia placed herself so far behind her sister provinces, including the Atlantic area.

Knowing that I would be retiring the following year, and noting the peculiar fact that the stipend of my assistant was close to overtaking that of the Ombudsman, I dared to approach a member of government on the subject. Maybe my successor would at least benefit from the proposed change that the salary be tied to something, as is done elsewhere — either to that of a judge at some level, but not asking for Supreme Court equivalency as in New Brunswick and British Columbia, or that it be tied to that of a senior

government official. Once tied, there need be no further wrangling.

The stipend, which at the beginning was set by statute, was eventually released from that bind, and was permitted to move, but at the discretion of the Executive Council, that is to say the Cabinet. I saw the Ombudsman reporting to Legislature, through the Speaker, and one who should not be seen as dependent upon Cabinet. To be fair, it must be said that the present government gave more attention to the salary of the Ombudsman, and that there is no personal stake in any remarks I make. I am thinking primarily of the office, and of its rating in Canada and around the world.

In 1981, a Bill, respecting the tying of the Ombudsman's stipend, was introduced by a senior Member of government, but we must recall that the same government was not responsible for the creation of the Ombudsman, and it very soon became apparent that there was little or no sympathy for the Bill. Belittling remarks were made from both sides of the House, as politicians made light of the whole thing. If the Ombudsman had support in the Legislature, it did not manifest itself. Again, the proof is in Hansard. It makes for sad, even shocking, reading. My colleagues everywhere will feel a let down, especially as ombudsmanship grows so healthily in an increasing number of lands.

Let us trust that our government will give close and effective support to my successor, who is so well known among his former fellow Members of Legislature, and who has assumed a position which is considered, in the rest of Canada, and throughout the world, as being prestigious.

We must remind ourselves that the international Ombudsman community is flourishing throughout the world. Although the Ombudsman institution originated in its modern form in Sweden back in 1809, it was not until 1962 that the fourth Ombudsman was appointed. Today the number of classical ombudsmen reporting to parliaments and legislatures and rectifying administrative injustices, approaches one hundred.

We shall now move to the closing short chapter in which I shall, with respect, make a few suggestions and recommendations.

SUGGESTIONS AND RECOMMENDATIONS

Occasionally, in my annual report to Legislature, I mentioned the

idea of a Select Committee of Legislature on the Ombudsman, without ever endorsing the thought, except to say that such a committee is functioning in some places elsewhere, for example in Alberta and Ontario. In the latter case, an Ontario politician reported to me that the system is working better now than previously. Alberta has apparently not had difficulty with the Ombudsman working closely with the select committee.

I still have reservations about a permanent select committee in Nova Scotia, and how all parts of the House would be represented, and especially when it is noted that staff and space requirements were filled without the presence of a committee, and our relatively small budgets have been presented and approved without rancor. I do, however, think that an "ad hoc" committee should be struck for the purpose of making a fresh appraisal of the Office of Ombudsman, to determine how it might best be used as a cooperative adjunct to government, not only in the investigation of complaints of an administrative nature, but in its continuing role as an information and referral agency, and the part which it should play in cooperation with Members of Legislature, to the advantage of the people of the province.

The ad hoc committee would travel outside the province, to see how the Ombudsman concept is welcomed elsewhere. It would be my hope and expectation that a spark of enthusiasm will be kindled, that disinterest will be removed, and that a new start will be given from among Members of Legislature, without whose whole-hearted and genuine support the Ombudsman Office does not enjoy the broad base of understanding which I believe it deserves. As I have mentioned previously, our present government inherited the office, without having created it, and it is understandable why its members may feel in some way threatened by it. But, rather than ignore its existence and not have a wholesome appreciation of the ombudsman's role and function, I believe that government should give the concept a real chance and a veritable restart. One way to determine whether or not Members are truly in favour, and in support of the Ombudsman, is to learn more about the latter's office, by making a comparative study of their own, with the "ad hoc" committee as the spearhead.

New functions for the Ombudsman should be considered from time to time by the Legislature. An ideal spot for him to play a role, it seems to me, would be in a Freedom of Information Act. In New Brunswick that role is presently being served very well by the Om-

budsman, and I do not hesitate to make such a recommendation for Nova Scotia. A couple of years ago, I sent a confidential copy of the proposed New Brunswick legislation, with my comments, to the appropriate Minister in the Nova Scotia Cabinet, but nothing was ever heard from the latter.

It has often been said, generally by people in the media, that the Ombudsman should have more power. I feel sure that many of the proponents of such a suggestion would be the first to squeal if powers were in any way abused, or if the decisions of an apolitical commissar were to render useless the democratic process involving our elected officials.

What new powers should be prescribed to the Ombudsman, apart from those hopefully to be found in freedom of information legislation? It is difficult to say. It would surely appear that, with the first Ombudsman in Ontario, and in British Columbia, a broad interpretation of power was assumed by the Ombudsman, much to the dismay of their legislatures. Although the Ombudsmen were earnest and forthright in their ambitions, and notwithstanding the fact that the news media were delighted with their pronouncements, I could find nowhere in the Ombudsman Act any reason or opening to project myself into the policy-making of government, or in the reasoning behind the decisions made by government. So, whilst suggesting that Legislature be alive to areas in which Members feel that the Ombudsman could render certain extraordinary services, I do not see any immediate need to broaden his powers. The reason behind that assertion is the fact that appeal procedures are often the direction in which the complainant may move, and that procedure is explained to a grievor: for example, in Nova Scotia, in addition to the Workers' Compensation Board, there is a separate and independent Appeal Board. The process in Ontario, British Columbia and Alberta is apparently not so simple: such a heavy percentage of complaints and problems stem from workers' compensation that a conference was convened on the subject last year, for those provinces which were vitally interested. Nova Scotia did not have the need to be represented at that meeting.

I recommended above the striking of a committee to study the ombudsman scene elsewhere, in Canada and abroad. Assuming that their observations arouse their genuine interest, the members of the committee would refer to that part of the Ombudsman Act which speaks of salary, but makes no reference to superannuation. In all provinces, states and countries that I know of, there is a

pension arrangement for the Ombudsman. To my knowledge, Nova Scotia is the one exception. With respect, I would recommend that that situation be corrected, so that there may be the best possible candidates attracted to the position of Ombudsman.

Other recommendations that flow from my experience are such practical measures as the following: notwithstanding the usual government restraints and restrictions, permission should be given for a toll free system of telephoning from outside the Halifax-Dartmouth metro area. Allow the Ombudsman and his staff members to use their discretion in cutting off calls that are obviously vexatious or cranky by nature. Another recommendation is to review the cancellation that was made of an advertising postage-free arrangement with Maritime Tel and Tel, by which approximately 325,000 telephone users are given very useful information on the ombudsman office, through the kindness of the company enclosing a small folder in one of its monthly billings. To reach so many citizens of the province in one stroke is noteworthy, and the Company did that for me, as a public service, some years ago, and it should be repeated, if at all possible.

Before concluding, I want to say what an able and loyal staff I have had the pleasure of working with, for more than ten years. My Investigator (Gerald DeYoung) and my Assistant (Gordon Earle) have been serving with me, without replacement. The effective and interested secretaries gave constant service, and discontinued work only in exceptional circumstances, such as raising a family. As a measure of the quality of my Assistant, Mr. Earle in July 1982, won the competition, advertised nationally, for the position of Ombudsman for the Province of Manitoba. His exceptional qualities were recognized, and he leaves Nova Scotia with the best wishes of his friends and colleagues.

One last remark: In my more than ten years on the job, I have found the Ombudsman and his work to be low on the interest scale among Members of Legislature. In light of the fact that the ombudsman is both an officer and servant of the Legislature, as is the Auditor-General, and given that the Ombudsman is, in his own way, working toward more effective government machinery, do not the politicians owe it to themselves and to the Province to study the role of the Ombudsman and find a respectful place for him? Maybe my successor, being a former politician, with the unique and useful experience thereby afforded to him, will find new ways, in the non-partisan position of Ombudsman, to help foster a new look and

fresh insight into an office which will continue to render a special kind of service to the people and to the administration of government.